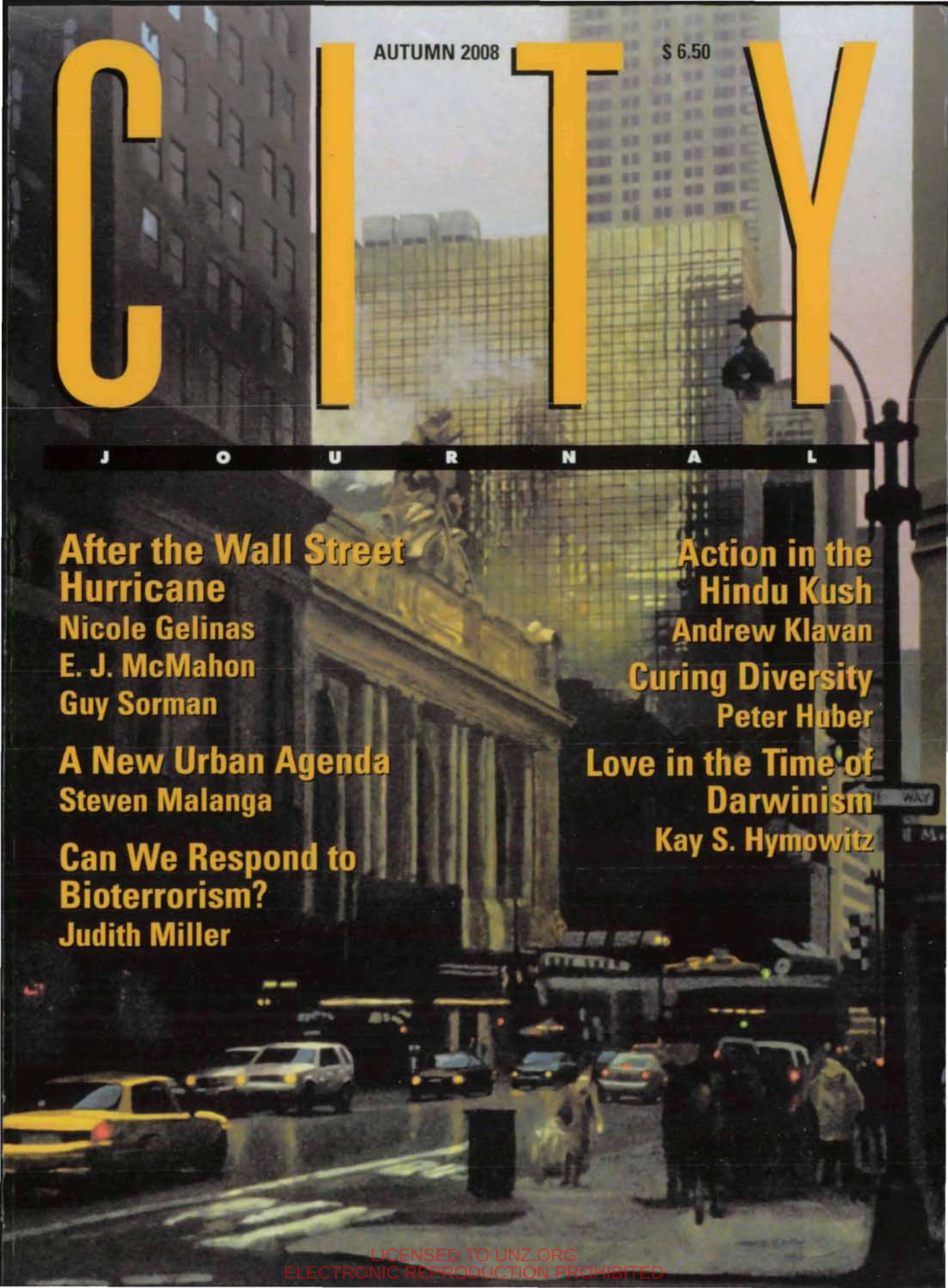

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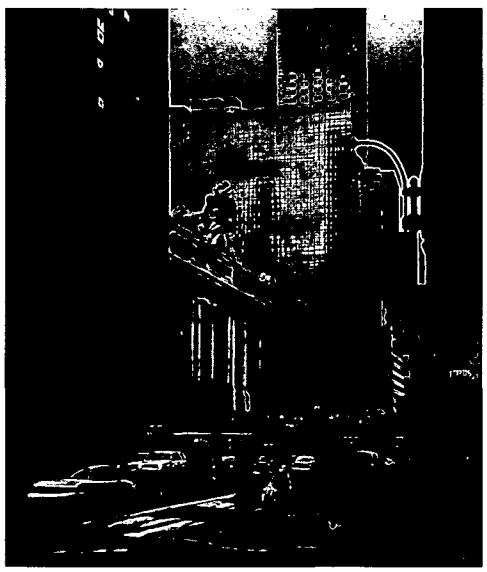

On the cover: Thomas Connolly's *Grand Central* (oil on panel, 2005). Connolly graduated from the Maine College of Art in 1987. A carpenter and mason as well as a painter, he lives in Portland, Maine.

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In Prospect

As *City Journal* went to press, the Wall Street super-storm had obliterated much of the modern financial-services industry, shut down global credit, and driven investors from markets in a Depression-era-like panic, with government officials promising trillions in loans and spending to try to quell the fear. In fact, we delayed the issue—the first time we've done so since our post–September 11 issue seven years ago—to expand coverage of the crisis.

Forgoing arcane debates over the role of "mark-to-market" accounting and credit-default swaps in the crisis, our lead story, "Storm-Proofing the Economy" (page 12), looks to the big picture. Nicole Gelinas—who had previously warned in our pages that Wall Street's profit model was perilously flimsy—explains what caused the financial disaster and what regulators must do to ensure that it doesn't happen again. Policymakers, she shows, failed to understand the degree to which a new "shadow" banking system had eclipsed the carefully regulated banking system of old. The next president and Congress must devise and implement regulations that will make this shadow realm more transparent—and allow the kind of big, complex financial firms that emerged within it to fail without harming the rest of the economy, much as the FDIC lets commercial banks fail in an orderly fashion. Gelinas's brilliant essay shows how America can begin to rebuild its shattered financial sector.

The disaster will have a particularly sobering effect on *City Journal*'s drunk-spending, heavy-taxing home state, argues E. J. McMahon in "New York State's Fiscal Reckoning," the second part of our cover package (page 23). Addicted to massive tax revenues from a Wall Street that now no longer stands, the Empire State faces a rough withdrawal. In the short term, it will require unprecedented spending restraint and budgetary triage. Over the long haul, New York will need something more radical still: the permanent shrinking of its bloated, prosperity-draining public sector.

Many observers, especially in Europe, have described the Wall Street devastation as the end of Anglo-American capitalism and U.S. global leadership. Marx is back—or at least European social democracy. Not so, says Guy Sorman in "America at Work," which concludes our package (page 31). The U.S. economy, thanks to its democratic principles, cultural openness, and remarkable creativity (nowhere more evident than in the revolutionary new biochemical science that Peter Huber describes on page 71 in "Curing Diversity") will continue to lead the world, Sorman argues—as it has since 1820, a decade before Alexis de Tocqueville first arrived in America seeking the meaning of democratic modernity.

Even as the financial crisis deepened, the presidential race roiled America. The Democratic candidate, Barack Obama, joined by the U.S. Conference of Mayors and by many liberal editorial pages, has called for vast new government spending on public schools, crime prevention, job training, and community organizing to heal ailing U.S. cities. In "We Don't Need Another War on Poverty" (page 34), senior editor Steven Malanga shows how potentially destructive such "tin-cup urbanism" could be. Far from forward-looking, it reanimates the stale notion that cities are feeble victims of Washington neglect—this after hundreds of billions of federal dollars have been spent on struggling cities over the past decades, with little good to show for it.

A far better approach, says Malanga, would take inspiration from reform mayors like Rudolph Giuliani in New York and John Norquist in Milwaukee, who in the nineties rejected the old nostrums and began coming up with their own homegrown solutions to city problems—innovations that slashed crime and welfare rolls, gave kids in rotten schools more options, and in general showed that cities can master their own futures. The feds can still help cities, in Malanga's view, but in ways that encourage urban empowerment instead of victimization. Thus, a new urban agenda: work to reintegrate ex-cons, spread the successful crime-fighting methods of the NYPD, push for proven school curricula and greater school choice, grow the market supply of affordable housing, and improve the nation's decaying transportation infrastructure. In an uncertain and worried time, it's an invigorating dose of common sense—an invocation of American can-do spirit.

—*Brian C. Anderson*

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Soundings

Not Kosher

The Jewish Conservative movement embraces labor and "social justice."

Over the last decade, union activists have made impressive strides in reviving old alliances, which had waned in the 1960s, between the labor movement and left-leaning clergy. Joint labor-religious groups have become muscular forces advocating union-friendly issues at the municipal, state, and federal levels (see "The Religious Left, Reborn," Autumn 2007). Now, in the latest major victory for the unions, an activist rabbi has persuaded the highest legal body of the Jewish Conservative movement to recommend that Jewish business owners pay their workers a "living wage" and welcome unions into their workplaces. The religious ruling, or *teshuvah*, of the Committee on Jewish Law and Standards—a body within the Rabbinical Assembly, the worldwide congregation of Conservative rabbis—assumes a pro-labor position in virtually every controversy surrounding wage laws. It also offers evidence of an emerging pro-labor drift within the Conservative movement, as rabbis push their congregations to embrace "social-justice" initiatives.

The *teshuvah* is largely the work of Rabbi Jill Jacobs, director of education for Jewish Funds for Justice, a social-justice group that steers money from philanthropists to programs that combat, in the group's words, "the root causes of domestic social and economic injustice." Jacobs, like many clergy who have signed on to labor's agenda, wants to use religious law and institutions to help reform what she sees as an inequitable economic system. Writing earlier this year in *Shofar*, a Jewish-studies journal, Jacobs described herself as "an American disturbed by the systematic injustices of this country" and proclaimed that American Jews, who as a group are "wealthy and more educated than the norm," have "an obligation to care for the members of society who are most in need of protection."

In her *teshuvah*, Jacobs notes that Jewish religious law holds that employers must treat workers with dignity and respect, which she interprets to mean a "living wage" in twenty-first-century America. Though her sources on workers' dignity are largely ancient, her definition of a living wage is based on a model endorsed by the modern labor movement. The *teshuvah* tells employers that a living wage is "three times the fair market rent on a two-bedroom apartment" in the county where the business is located, or 130 percent of the poverty line, or 80 percent of an area's median income. In New York City, a living wage based on so-called fair market rent amounts to about $23 an hour for a 40-hour workweek, or more than three times the state's minimum wage. In Chicago, it is $16 an hour, or double the Illinois minimum wage.

The ruling also urges Jewish employers to "allow employees the space to make their own decisions about unionizations without threats or interference on the part of the employer" and to "hire unionized employees when possible." To that end, the Committee on Jewish Law and Standards explicitly tells employers to give workers the right to unionize by card-check—a method by which a company forgoes a secret ballot and authorizes union representation when half of its workers sign their names to cards.

The *teshuvah* has aroused concern—and opposition—among Conservative Jewish business leaders. Marc Gary, general counsel of Fidelity Investments in Boston and a non-voting, non-rabbinical member of the committee, argued that by wandering into areas of social justice, the committee risked "relegating the CJLS to the role of the Movement's nanny instead of its authoritative provider of legal guidance." Gary pointed out that the *teshuvah* considered labor issues almost entirely from union leaders' point of view—failing to acknowledge, for instance, that many employees oppose the non-secret card-check process because it exposes them to pressure to join a union. "It is conceivable that employees choose not to join unions because unions have been associated in the past with corruption, racism, sexism, and xenophobia," Gary told the committee. He also noted that much of the economic research that the *teshuvah* cites in favor of a living wage was one-sided, and that other, nonpartisan research by economists like David Neumark of the University of California at Irvine had concluded that the living wage often hurts low-income workers by forcing firms to eliminate jobs.

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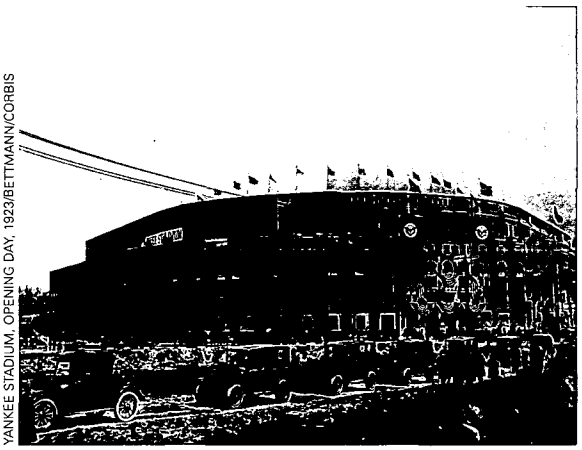

YANKEE STADIUM, OPENING DAY, 1923/BETTMANN/CORBIS

The committee issued its ruling despite Gary's dissent, and other institutions within the Conservative Jewish movement have also proceeded with labor-friendly initiatives. The most significant is a joint effort by the Rabbinical Assembly and the United Synagogue of Conservative Judaism, which represents congregations throughout North America, to create a new level of kosher certification for companies producing food for observant Jewish communities—based on the way these companies treat their workers.

Unlike traditional kosher designations, which certify that food has been produced in accordance with Jewish dietary laws, the new rules, known as *hekhsher tzedek*, require employers to follow a lengthy list of wage and benefit guidelines. They "favor" certifying firms that pay above industry standards and offer "affordable health insurance," retirement plans, paid vacations, sick leave, and maternity leave. The new kosher-certification effort will also rate firms on whether their employee turnover rate is lower than industry averages; whether they have good relations with unions; whether they have efforts in place to diversify their workforces to include minorities, women, and the disabled; and whether they have good environmental track records. The new certification is set to go into effect in January 2009.

Says one businessman who has watched the Conservative movement drift into pro-labor issues: "Personally, I think this is just the beginning. It's not impossible that the Conservative rabbis will, over the next few years, come out with anti-Wal-Mart resolutions," as well as other rulings, in pursuit of "social justice."

—Steven Malanga

A Preference for Truth

Racial quotas are slowly losing their cover.

The noblest-sounding justification for racial preferences—that they lift up their beneficiaries—may soon be exposed as fraudulent. A group of law professors and economists examining the effect of law school admissions preferences on students' bar-exam passage rates is suing the State Bar of California to obtain data for their study. The proposed research could deal a death blow to the quota regime by proving that affirmative action actually damages a student's chances of becoming a lawyer. Predictably, the race industry has mobilized to crush the project.

Lead researcher Richard Sander has already earned the enmity of much of the law professoriate for his pioneering work on affirmative action in law schools. Almost all black students are admitted to law school with drastically lower college and LSAT grades than those of white and Asian students. After their first year of legal education, 51 percent of blacks are in the bottom tenth of their class; two-thirds are in the bottom fifth. Blacks are four times as likely as whites to fail the bar exam on their first try. Sander has drawn two conclusions from these data, first published in 2004: first, that blacks' low qualifications entering law school predict their lagging performance in school and on the bar exam; second, that there would be more black lawyers if schools stopped extending preferences to black students—because these students would learn more in schools that matched their capabilities.

An advance guard of preference advocates furiously tried to discredit Sander's "mismatch" hypothesis, without drawing much blood. But Sander himself admitted that the national data that he used for his 2004 study were imperfect; thus his effort to obtain the records of the California bar, which has the most extensive set of law student information in the country. It can

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link individual students' college GPAs, LSAT scores, law school grades, and bar scores going back to 1973. Researchers would be able to compare, with an extraordinary degree of precision, the bar-passage rates of students admitted into elite schools via affirmative action with the rates of those with similar qualifications who attended less elite schools. When Sander and his colleagues approached the bar's leaders and statisticians in 2005 about collaborating on a study, they got an enthusiastic response.

Then a platoon of law school deans paid the bar a little visit. Suddenly, the bar changed its tune. It threw up obstacle after obstacle, claiming that the study was an "anti-affirmative-action" ploy and would violate student privacy.

Both objections were ludicrous. Sander's research team included skeptics of his mismatch theory as well as affirmative-action supporters, all of whom just happened to believe that any theory should be subjected to rigorous empirical testing. Sander has invited his many other critics to get involved in the study as well. His project had the backing of leading social scientists. As for privacy, only the bar's chief researcher—who has conducted many analyses of student performance in the past without incurring any objections—would have access to students' actual records. The research would make the data anonymous so that tracing any individual's records would be impossible for anyone else.

Nevertheless, the legal establishment's assault on Sander's project continued. A group of activist law professors argued that the study would lend undue importance to the bar exam. (Law students will undoubtedly be relieved to learn of the exam's insignificance.) A UCLA law professor launched an e-mail campaign to minority lawyers in California, portraying the research as a frightening invasion of their privacy. After a hearing process that failed to give Sander's team any opportunity to respond to the critics' charges, the bar's board of governors voted in November 2007 to reject the research proposal. Sander is now suing the bar, which is a government body, under California's public-information laws.

The racial preference regime has thrived in deliberate secrecy and duplicity, but it is gradually losing its cover. Against all expectations, Sander recently convinced the University of California that it had a legal obligation to share its records on undergraduate students' incoming qualifications and subsequent performance. Though this data set is more generalized than what Sander seeks from the bar, it will likely buttress his mismatch theory and expose lingering preferences at the university, in violation of a 1996 voter initiative outlawing them. The lawsuit against the bar remains pending, but Sander expects to start releasing results from the UC study this fall. They promise to be explosive.

—Heather Mac Donald

Crime and Politics in Caracas

Thank Hugo Chávez for the Venezuelan capital's soaring murder rate.

A recent report in *The Economist* noted that Caracas, Venezuela, is now one of the world's most violent cities, with an official murder rate of 130 homicides for every 100,000 residents. The Venezuelan think tank Incosec suggests that the real rate is even higher—a staggering 166 per 100,000, or triple the rate in 1999, when President Hugo Chávez took office. It didn't have to be this way: From 2000 to early 2002, as members of the Bratton Group and in cooperation with the Manhattan Institute, we worked to improve public safety in Caracas. We were beginning to achieve promising results until Chávez undermined the project. Crime is now rampant, the mayor we worked with has gone into exile, the police chief sits in jail, and Chávez has barred a promising young reformer from running for mayor this fall.

We remember our days in Caracas as an exciting time. A new constitution had just granted the city autonomous status from the federal government, with the new Metropolitan Police to operate under mayoral control. Alfredo Peña, the new mayor, brought us in to help organize the force in accordance with the innovative policing ideas that had cut crime dramatically in the United States in the 1990s. Caracas hired new police officers and more than doubled starting salaries, trying to recruit better-educated cops and make corruption less tempting. The new

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police chief, Ivan Simonovis, was a veteran of the national investigative police, a relentless foe of police corruption, and a tireless crime fighter.

Our work sought to create a first-class police reform model in Catia, the impoverished, million-person barrio that reaches up hundreds of feet into the mountains west of the central city. We worked to break down the vast Catia police division into 12 community-based precincts, where we put some of the most promising and ambitious commanders. We trained a special cadre of local detectives who would investigate crime in the previously ignored barrio. Using New York City's Compstat as a model, we established strategy meetings to hold commanders accountable and to track and reduce crime. In 18 months, the murder rate in Catia declined by one-third, and citizens' perception of the police began to improve. Polls taken by independent groups measured the change. But we could also see it on the ground, as residents began showing up to help repair local police stations and form neighborhood watch groups.

We were getting ready to establish a second model in the city's other great barrio, Petare, when politics reared its head. Chávez, apparently jealous of Mayor Peña's success, held back critical funding that the national government owed Caracas for law enforcement. Graffiti appeared, suggesting that the Bratton Group was composed of CIA agents and telling us to go home. Pro-Chávez radicals in the Metropolitan Police sought to divide the force along political lines. Tensions came to a head in April 2002, when Chávez was briefly forced out of office, Caracas street protests turned violent, and 17 people died. By October, pro-Chávez cops had seized control of police headquarters, and the following month, Chávez sent in the military to take command of the force. Mayor Peña was driven from office and fled to Miami. Chief Simonovis was arrested in November 2004 on dubious charges; he remains in a Caracas jail to this day, his trial still dragging on. Needless to say, our consulting work ended.

Today, crime is the Number One public policy concern in Venezuela and the major issue in the upcoming local elections in November. Leopoldo López, the 37-year-old Harvard-educated, reform-minded mayor of Caracas's Chacao district, had planned to run for mayor of the entire city, largely on a public-safety platform. Though we never worked for López, we met him and were impressed by his intelligence, energy, and insight. He understood that crime disproportionately affected the poor, and he went to great lengths to improve the Chacao police. He is immensely popular among all socioeconomic groups, having won a reelection bid in 2004 with 80 percent of the vote. As he has loomed as a rival to Chávez, there have been several attempts to assassinate him, including one attack in which his bodyguard died in his arms. And Chávez has blacklisted him on trumped-up corruption charges, along with 260 other opposition candidates, and barred him from participating in the elections.

What crime-afflicted cities like Caracas need are competent local leaders, ready to reform and redirect police efforts. This is what López could offer—and what Peña and Simonovis offered before him. Unfortunately, like all authoritarians, Chávez views independent, competent leaders as threats to his power. If the suffering people of Caracas have to pay the price, well, that's politics, Chávez-style.

—William Bratton and William Andrews

Confronting the Putin Doctrine

Europe must hold fast against Russian blackmail.

The world shook this August, overturning the equilibrium not just of forces on the ground, but of people's ideas and prejudices. The gigantic Olympic Games in Beijing displayed China's will to power, a major challenge for the twenty-first century. The invasion of Georgia alerted the world to the return of an imperial Russia without frontiers. But neither event should have surprised the West. It has been 30 years since China, having swept aside Marxist dogmas, laid the foundation of an economic miracle that has raised its economy to second or third place in the world. Soon it will be ten years since Vladimir Putin, the leveler of Grozny, made himself a new Russian czar. Neither

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Beijing nor Georgia was hard to foresee. The veil ripped away was that of our illusions.

Consider the Russian question. What right do we have to make a show of disappointed innocence about the aggressiveness of Putin, who seduced George W. Bush with his blue eyes, Tony Blair with his good manners, Silvio Berlusconi with his frequenting of the Italian Riviera, Gerhard Schröder with a Gazprom chairmanship—and who received the Grand Cross of the Legion of Honor from Jacques Chirac? The Kremlin has proclaimed the axioms of the Putin Doctrine loudly and clearly, but no deafness is so profound as that of those who will not hear.

Putin spoke the first of these axioms in 2005: "The greatest geopolitical catastrophe of the century was the dissolution of the Soviet Union." The First World War (10 million dead), the Second (50 million), Auschwitz, the Gulag—these are but profits and losses in his accounting. The true abomination, in his view, remains the treason of Boris Yeltsin, who, after Mikhail Gorbachev refused to send armored tanks to attack the peoples of Eastern Europe, allowed Ukraine, the Baltic nations, Georgia, Kazakhstan, Azerbaijan, and others to throw off 70 years of Bolshevik oppression, achieve their independence peacefully, and severely weaken Putin's hierarchy—provisionally, he hopes.

The second axiom: mass democratic movements, such as Georgia's Rose Revolution in 2003 and Ukraine's Orange Revolution in 2004, are signs of a "permanent revolution" that threatens the foundations of the Russian state; such subversion receives financing from the CIA, NATO, foreign interests—and bad Russians. A few days before she was assassinated, my friend Anna Politkovskaia told me about the disproportionate panic that the joyous Kiev and Tbilisi uprisings provoked in high places in Moscow. Exaggerating the danger beyond reason, the frightened Kremlin bigwigs anticipated a shower of cannonballs in their own country. Hence their unmeasured repression of all protest: they censored the press, muzzled dissident voices, and assassinated or imprisoned the obstinate. Hence, too, their attempt to suppress their neighbors' desire for emancipation, whether by brutally stopping the flow of natural gas in the middle of winter, clumsily buying off political opponents, or, when necessary, deploying tanks. The march on Tbilisi sent a clear message: it is them or us. It was left to Dmitry Medvedev, the amiable new Russian president upon whom Western dreamers project their hopes, to equate Georgian president Mikheil Saakashvili with Hitler.

Yet the real surprise of August 2008 was not what Putin did, but signs of new firmness in Europe. French president Nicolas Sarkozy negotiated a delicate and ambiguous cease-fire, which at least blocked the Russian offensive on the Georgian capital. Then the European Union refused to shut its eyes to Russia's barely disguised annexation of Abkhazia and of South Ossetia. Europe did not give in to panic: its response was neither a return to the Cold War ("Yalta is over," Sarkozy declared) nor to angelism ("The vacation from history is over," Polish prime minister Donald Tusk followed up). Time will tell if the 27 European nations are capable of holding their course, forging an energetic common policy, and negotiating with their Russian oil suppliers as equals. After all, the Russians need to sell as much as the West needs to buy.

In the face of European hostility to its Georgian thrust, the Kremlin has not changed its objectives, but its tone has become more accommodating. Clearly, Russia is testing how far it can go, and it has learned that Georgia is not another Chechnya. As a substitute for lost power, a nuisance policy on all fronts, while it can make an initial impression, will not restore the prestige of a clay-footed colossus.

Despite the bragging that accompanies its oil-drunkenness, Russia knows that its future is not bright. The country remains anemic, plagued with alcoholism, mafias, corruption, unemployment, tuberculosis, AIDS, prostitution, and a dizzying demographic plunge. Russian life expectancy is at Third World levels. Seventy percent of its budget depends on the sale of energy and raw materials. So long as its means of drilling and storage are lacking, Russia will not be able to blackmail prosperous Europe over the long term, and it will take a decade or even several to construct the transportation capacity to redirect its energy supplies toward Asia.

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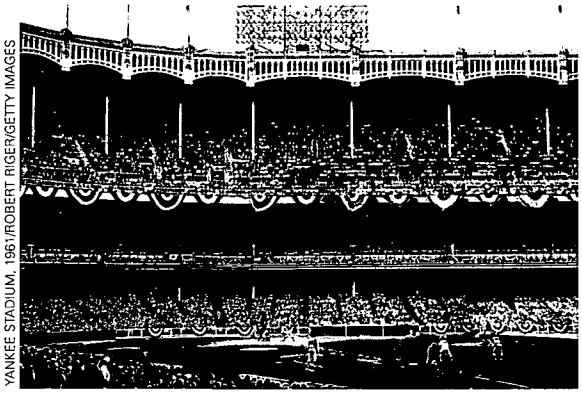
Soundings



YANKEE STADIUM, 1961/ROBERT RIGER/GETTY IMAGES

In the aftermath of its Georgian expedition, Russia's diplomatic isolation is striking. It has not succeeded in winning recognition for the self-proclaimed independence of Abkhazia and South Ossetia. China's refusal to acquiesce demonstrates that there will be no bloc of authoritarian capitalist states following Putin's lead in a new Cold War against the democracies. The only regimes going along with Russia are those temporarily protected by the rise of oil prices. Chávez's Venezuela and Ahmadinejad's Iran share a malevolent drive with Putin's Russia: every political, diplomatic, social, or military crisis that might raise the price of crude represents an opportunity. But the power interests that drive the economies of China, Europe, and the United States favor a reduction of energy prices. Moscow's taste for trouble is enclosing it in global solitude.

The European Union, if it maintains its newfound—and still uncertain—firmness, will be able to force its big neighbor to moderate its ardor for conquest. Public opinion must hold firm and not be intimidated by the apocalyptic evocations of which Kremlin propagandists are so fond. Reassuringly, Sarkozy has spared us a repetition of the pitiful spectacle of the French prime minister, Pierre Mauroy, proclaiming in 1981 that we must "not add to the misfortune of the Poles"—the victims of Brezhnev and Jaruzelski—"the misfortunes of the French, who would be deprived of the gas they need to cook their steak and fries."

Whatever lies Putin and Medvedev choose to circulate, the confrontation of August 2008 was not between a bellicose (let alone "Nazi") Georgia and its "fraternal" big neighbor; or between capitalist democracies and an autocratic Moscow-Beijing axis that is no less capitalist; or even between a European culture of freedom and another based on nationalist sovereignty. Instead, the crisis brought European public opinion face-to-face with itself. Will Europe choose to commit suicide by oil and cave to the Putin doctrine? Or will it hold firm and resist?

—*André Glucksmann*

Taxachusetts No More?

The Bay State considers the unthinkable—repealing its income tax.

For one weekend this summer, Massachusetts enjoyed a sales-tax holiday. Instead of driving across the border to sales-tax-free New Hampshire, residents could shop at home without paying sales tax, if only temporarily. But the sales-tax holiday was just a precursor to what could be a much more hopeful development: the potential repeal of the state's income tax this November.

Thanks to the tenacity of Carla Howell of the Committee for Small Government, voters may be able to eliminate Massachusetts's income levy through Question 1 of a ballot referendum. In 2002, a similar ballot question asking for the repeal of the income tax earned 45 percent support. Today, with jobs and residents fleeing the economically limping Bay State, the political climate for eliminating the income tax is even more hospitable. Backers also hope that the repeal would force Massachusetts to practice tough fiscal discipline—the income tax constitutes more than 40 percent of state revenue.

The history of taxation in Massachusetts over the last century is one of legislators forever indulging the state's appetite and never prescribing a diet. The state's first income tax, enacted in 1915, was initially presented as "a substitute, complete or partial, for the existing tax on personal property," observed the Harvard economist Charles Bullock. But the income tax neither eliminated nor alleviated the property-tax burden, and it soon became a permanent levy, with the rate rising from 1.5 percent in 1950 to

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5.3 percent today. During the mid-sixties, something similar happened when Republican governor John Volpe—in the strange world of Massachusetts politics, party labels confuse as much as instruct—crusaded for a sales tax while mainly Democrat antagonists in the state legislature battled against it. The sales-tax foes won the first six battles, but in winning the seventh vote, Volpe proved the old maxim that if at first you don't succeed, try, try, try, try, try, try again. The sales tax was to last from April 1, 1966, to December 31, 1967, but over 40 years later, a mere two-day respite from it is cause for celebration.

Massachusetts didn't stop there in its quest for revenue. Only five years after imposing the sales tax, the state turned to a lottery, as it had in colonial times. Four years after that, in 1975, despite a "lead pipe guarantee" that he wouldn't raise taxes, Governor Michael Dukakis—foreshadowing the famous broken pledge of his 1988 presidential-election opponent—substantially increased duties on gasoline, cigarettes, restaurant meals, and alcohol. Early in 2008, the state legislature passed a $10 tax increase on cigarette cartons, making the price disparity for smokes about $15 per carton between Massachusetts and New Hampshire. And now Governor Deval Patrick is pushing for gambling casinos, among other things, to fatten state coffers.

Massachusetts's revenue hunger results from massive government spending. State takeover of the Boston Elevated Railroad in 1947, the dramatic postwar expansion of taxpayer-supported higher education (despite Massachusetts's unrivaled array of private colleges and universities), and RomneyCare's recent promise of universal medical coverage have all worked to bust budgets.

Further, Bay Staters don't have to look far to find examples of poor stewardship of their tax dollars. The *Boston Globe* reported in July that a city firefighter out on disability was busily training for a national bodybuilding contest, in which he finished eighth; the *Boston Herald* discovered in August that 501 state employees had 24-7 use of government vehicles, with gas tanks filled at taxpayer expense. And after videotapes emerged of county official John Buonomo allegedly stealing from courthouse copy and change machines, *Herald* columnist Howie Carr quipped that Carla Howell ought to run 30-second spots of the surveillance video of Buonomo caught in the act, with a voiceover: "This is your state government at work. What this elected official is doing to these copying machines, his brother pols are doing to you every day of the year. Picking your pocket. Robbing you blind."

Though a recent National Tax Foundation study showed Massachusetts in the middle of the pack with regard to tax burden, the *Boston Globe* accurately laments that "the epithet Taxachusetts has been difficult to shake." If Question 1 prevails in November, though, perhaps the nickname—like the income tax—can be retired permanently.

—*Daniel J. Flynn*

Big Middle-Class Sister

We shouldn't apologize for teaching poor kids how to move up in America.

Alan Luks, the recently retired executive director of Big Brothers Big Sisters of New York, told me recently that program volunteers should behave like "middle-class surrogate relatives" toward the children they mentor. He quickly apologized for using the term "middle-class": "That's wrong." But it isn't. Middle-class values are exactly what disadvantaged kids need in order to succeed. It's too bad that the people who run mentor programs are often so steeped in bad social theory, nonjudgmentalism, and "cultural sensitivity" that they discourage volunteers from teaching their mentees how to move up in America.

When I signed up to be a mentor with BBBS seven years ago, the initial conversations I had with my mentee, Veronica, didn't bode well. The transcripts would probably read like police interrogation sessions. I would ask her questions about school, family, friends, anything I could think of; she would answer in as few words as possible. And our meetings, which included outings to the beach, the movies, and museums, as well as bicycle riding and even a couple of trips around the park on horseback, were not without their logistical frustrations. Veronica was always late, for instance, often by almost an hour. At first, I chalked it up to her youth. When we

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were first matched, she was only 11. I would show up at her house at noon on a Saturday and find she was still in her pajamas and had forgotten about our plans.

It quickly became clear, though, that she was only behaving like the adults around her, who had no middle-class values to speak of. The one-bedroom apartment where she lived was chaotic. Her mother, her aunt, her sister, and her two younger cousins were the fixtures, with a parade of her aunt's boyfriends and occasionally her own father added to the mix. Veronica spent money as though she were in the middle class, but she never earned or saved any, so far as I know. That didn't stop her from buying Coach sneakers or a new cell phone every few months.

The biggest obstacle standing between Veronica and a middle-class life was education. My great coup was getting her parents to put her in Catholic school in ninth grade. We filled out the applications together, and despite Veronica's objections—"There are no boys there!"—her mother sent her anyway.

As it happened, the school partnered with another mentoring program, called iMentor, so I became her mentor through that program, too. We e-mailed every week and saw each other every few months. Volunteers in iMentor must be college-educated professionals. But executive director Mike O'Brien says he "would stop short of making a judgment" that there's anything wrong with the mentees' original environment. "I love New York City in all of its complexity," he tells me, noting that, just as many of the mentees hadn't seen the professional world, most of the mentors "had never been to East New York."

The mentors I know never told their charges that there was anything wrong with growing up in East New York—they didn't have to. Mentees saw what these adults had and wanted it for themselves. For a few years, Veronica and I lived on opposite sides of Brooklyn's Prospect Park. "I want to live in your neighborhood," she told me on a visit to Park Slope when she was a high school freshman. It was a good opportunity for me to teach her something: "Well, if you go to college and get a good job, you can." I'm sure that I'm not alone in my judgmentalism. The reason young men and women are able to become mentors in the first place is that they made the right "middle-class" choices in their own lives. Of *course* they're judgmental. Judgment is what got them educations, good jobs, and decent apartments.

When Veronica was about 13, I got a flyer for a BBBS seminar, led by a representative of Planned Parenthood, on how to talk to mentees about sex. It started as you might expect: Give them all the information they want about birth control, emphasize the importance of safe sex, tell them where they can get tested for STDs, and so on. When the discussion turned to what the appropriate age is to begin having sex, the woman explained: "You should tell your 'little' that they shouldn't have sex until they are in love." I nearly fell out of my chair. Veronica had been in love seven times during the last school year alone.

Veronica and I have never discussed birth control or STDs, but about five years ago, she told me she wanted a baby. I told her that I didn't think that was a good idea yet, and that she should finish high school, go to college, start a career, find the right guy, get married, and *then* have a baby (what my parents refer to as "the right order"). She nodded and said that seemed like a long way off. I assured her that she wouldn't regret waiting.

When Veronica still hadn't filled out her college applications and hadn't even decided where to apply by January of her senior year, I complained to the people in charge of iMentor. I wanted the program coordinator to make some demands from the school. I wanted the school to make demands from Veronica. I wanted her mother to put her foot down. It was time for ultimatums. Instead, I got more nonjudgmentalism. "I'm sure she'll make some decisions soon," the iMentor folks told me. "And maybe community college is right for her."

This past June, I attended Veronica's high school graduation. Her record wasn't stellar, but she's attending Kingsborough Community College this fall. She has learned something about discipline and hard work. She has had some good teachers. Her classmates have been a good influence overall.

And there's no baby.

—*Naomi Schaefer Riley*

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Storm-Proofing the Economy

We can't prevent Wall Street turmoil, but we can make it less destructive.

Nicole Gelinas

This year, after a quarter-century of relatively free-market governance of the economy, the only thing protecting Americans from the complete vaporization of the financial industry has been the United States government. Treasury secretary Hank Paulson has spent the past six months using the trillions of dollars in promises and loans that only the government is powerful enough to make to avert the immediate collapse of the insurance giant AIG and those two mortgage behemoths, Fannie Mae and Freddie Mac. As *City Journal* went to press, he was also trying to avert the collapse of what was left of the private credit markets. Government officials have hoped—so far, unsuccessfully—that their actions would persuade the financial world's private lenders, trading partners, and customers to stop fleeing financial institutions in a Depression-style terror.

Contrast these extraordinary actions with the government's calm response to another recent financial implosion that could have provoked a crisis of confidence. In mid-July, President Bush reassured a nation rattled by the sight of Californians lining up to withdraw money from the failing

Illustrations by Sean Delonas

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commercial bank IndyMac. "If you have a deposit in a commercial bank in America, your deposit is insured by the federal government up to $100,000," he said. "My hope is that people take a deep breath and realize that their deposits are protected by our government." Franklin Delano Roosevelt must have looked down from Campobello in the sky and smiled. Facing a potential panic, Bush had turned the public's attention to the Federal Deposit Insurance Corporation (FDIC), a collective insurance program and a hallmark of FDR's New Deal.

The FDIC's success in controlling a modest part of the financial crisis shows that market regulation matters. But what kind of regulations work best? Each presidential candidate promises to sign legislation overhauling the financial regulatory system, but a President McCain or a President Obama will have a thicket of questions to get through. What's broken about the existing regulatory system? Are our existing regulations, most of them seven decades old, still relevant? In financial risk-taking, who should be protected and from what? Do we want to protect big companies from the risk of failure—or do we want to protect the overall financial system? And what *can't* regulations do? Until we ask these questions and get the right answers, the financial firms still standing can't know what their future world will look like.

Important people who ride around in black cars would like you to think that the credit crisis is complicated. But all the acronyms—CDO, ABS, RMBS, CMBS, CMO, SIV—are just distractions. The reason for the crisis is simple: when you lend money to people who can't pay it back, they won't.

All right, it isn't *that* simple. But it isn't inexplicable, either. For the half-decade or so that ended in mid-2006, financial firms and investors, lulled by low inflation and interest rates, thought that there was no risk in increasing their lending exponentially to consumers and speculators seeking to buy houses, office buildings, and other assets. After all, mortgage lending over the past decade had seemed a sure thing, with ever-rising prices and few defaults. Plus, lenders had "securitized" mortgages and other types of loans—that is, transformed them into easily tradable securities. So if banks and other investors wanted their money back, they weren't stuck for 30 years waiting for borrowers to pay them; instead, they could sell the loans to other eager investors, and then use the cash to make yet more loans. And even if a borrower couldn't repay his loan, the collateral behind it—the house, in the case of mortgages—was a fail-safe.

Making this bet even more of a sure thing was the magic of complex financial engineering. If there were any losses, certain investors, who had agreed to take more risk in exchange for a higher return, would eat them. Everyone else would be safe unless there were *lots* of losses, and that would never happen—or so it was thought. For investment banks and global investment funds that did worry about some future catastrophe, insurance was on hand: companies like AIG offered "credit default" protection that would cover any losses.

The idea that lending was risk-free fed on itself. Easy money helped propel house and other asset prices skyward, because paying lots for a house or other asset was a cinch when people or institutions could borrow so freely. The rising prices—as well as the influx of people into the market seeking profits—then further expanded banks' ability to make seemingly riskless loans. And so on.

Then, when the tenuous assumptions behind the boom—ever-rising house prices, low interest rates, and the like—proved incorrect, it all went bust. Firms and investors that have lost hundreds of billions of dollars can't do much new lending. Tens of millions of people owe money on homes suddenly worth much less than they were a short while ago. Uncertainty spreads like wildfire: Lehman Brothers and Bear Stearns collapsed partly because the companies' own lenders and partners feared doing additional business with institutions that failed so spectacularly at their job of managing risk. In mid-September, investors even pulled their savings out of supposedly secure money-market mutual funds, fearing that they would lose money. At the same time, banks stopped lending to one another, spooked about one another's books.

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Severe asset and credit contractions gravely imperil the economy. If you can't borrow cheaply through money markets to expand your small business, you can't hire new workers. If you can't borrow from your home equity to buy a flat-screen TV, you might not buy it. But if you can't borrow at all because investors are scared to lend to anyone or any company, the economy grinds to a halt. Perhaps the deepest threat to the economy, however, is the misperception that the financial industry's failure represents a failure of capitalism. In fact, capitalism worked, belatedly exposing the millennial financial industry for what it was and withholding capital from it so that a new, more robust, and possibly smaller financial sector can rise from the devastation.

"The FDIC's success in controlling a modest part of the financial crisis shows that market regulation matters."

The current financial hurricane bears a striking similarity to the late twenties and their aftermath. Back then, as with today's crisis, easy borrowing had pushed stock prices up, and an assumption of ever-higher stock prices reinforced the easy lending environment. Then the inflated value of stocks and other assets went "pop," and this deflation—worsened by misguided monetary and tax policy—spread to the real economy. Banks, having lost so much lending against asset values, were either unable or unwilling to lend much new money. Not trusting the banks with what was left, individuals and small businesses scrambled to pull their money out, and these "runs" caused more bank failures. Credit dried up, and assets, with no borrowing available to buy or improve them, continued to fall in value.

Seeking to prevent future bank runs and protect the crucial supplies of money and credit—exactly what's necessary today—FDR signed into law the FDIC, which radically changed the way people thought about banking by guaranteeing small deposits at commercial banks. Even if a bank made some crummy bets, it now had a good chance of muddling through by attracting new depositors, who wouldn't worry that they'd lose their shirts. If a bank did fail, customers could quickly get their money back, and the government would take over the bank and wind it down, ensuring that it couldn't do further harm. In a contraction, the simple business of lending and borrowing, while it might slow or become pricier, could carry on; people wouldn't stuff their money under their mattresses. In September, the orderly failure of Washington Mutual, the sixth-largest bank in the U.S., showed once again how well this system works.

By reducing one risk, though, the government conjured another: that the newly insured banks, liberated to some degree from customer scrutiny, would feel free to take greater risks themselves. The government thus had to protect taxpayers by containing this new risk, which it sought to do by insulating the banks, and hence the entire economy, from the worst effects of freewheeling market speculation. Even as Congress and FDR devised deposit insurance, they forbade commercial banks, which dealt most commonly with average customers and run-of-the-mill business borrowers—unlike investment banks, which dealt with big institutions and supposedly sophisticated lenders—from lending money to purchase stock. The feds also enacted the Glass-Steagall law, which forced the commercial banks to sell their securities affiliates, so that they couldn't use customers' money to underwrite or invest in stocks.

The regulatory principle of protecting the money and credit supplies from panic hasn't diminished in importance since the thirties. But the financial world has changed dramatically. Once upon a time, if your local bank imploded, it meant that you might have a hard time getting a loan. But you didn't much care

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what happened at East Coast investment banks. Over the past quarter-century or so, though, with the modernization of the financial industry and the globalization of financial markets, the big investment banks became just as responsible as commercial banks for the creation of consumer credit. When you borrowed money on your credit card, it was often because an investment bank had found an international client to "invest" in your credit-card debt; the same thing held with mortgages.

By 1999, Congress and President Clinton—along with armies of bank lobbyists—decided that the lines separating the financial worlds had blurred so much that Glass-Steagall was irrelevant. So they repealed it, though commercial banks would still operate under tight constraint. The Fed and other regulators require commercial-bank holding companies, for example, to keep on hand, in the form of quality capital and other reserves that investors can't pull out in a crisis, about 10 percent of their total assets (that is, all the loans they've made to people and companies, as well as other investments). Such "capital requirements"—in effect, limits on borrowing—don't guarantee that banks won't fail, but they do give them more room for error and help cushion them against precipitous drops in confidence.

The lesson that both political parties missed in the repeal of Glass-Steagall wasn't that it was too dangerous to allow commercial banks and securities banks to commingle, as many critics charge now. It was that the securities side of the business had grown just as vital to the economy as the closely regulated banking system. What nobody realized was that the government needed to protect the economy against runs on investment banks and other lightly regulated financial institutions—a shadow banking industry—just as it had with commercial banks decades earlier.

Long before the current crisis, the government missed warning signs that such protection was necessary. In 1998, bankruptcy threatened a company called Long-Term Capital Management—an unregulated hedge fund, not a very large firm, but exceedingly complex, with tens of billions invested in opaque securities and derivatives markets around the world. Bankruptcy would have forced it and its creditors to dump its investments on the market all at once, possibly setting off a global panic. So the Federal Reserve intervened to prevent LTCM from entering the normal bankruptcy process. But the government ultimately saw the episode as a one-time crisis rather than as evidence that the economy needed more protection from the new shadow finance.

Three years later, the government, and most other people, also got Enron wrong. How could a publicly traded financial company have used billions of dollars' worth of murky borrowing structures to cloak itself in such mystery and fragility that it could suddenly and shockingly collapse, catching most observers unaware? Enron's finances were so byzantine that the company's CFO used them to steal money outright without detection. In the end, Enron's creditors decided all at once that its opaquely structured assets weren't worth what it had said they were worth—a portent of today. But after Enron collapsed, lawmakers and the president figured that once they had put CEO Jeffrey Skilling in jail and made the rest of the CEOs jump through a few more financial-reporting hoops, the rest of us were safe.

Regulators' and bankers' blindness to the dangers spotlighted by LTCM and Enron would imperil the entire global economy half a decade later, starting when Bear Stearns's creditors, like Enron's, lost faith in the firm's assets and corporate structure, fleeing it and starting a six-month escape from the credit markets in general. Bear, with just 16 percent of the assets of a firm like Citigroup, wasn't big, but it had ensnared the rest of the financial system in a dark web of derivative securities and short-term loans. Backing those loans were assets whose value would nose-dive—even more than in the then-burgeoning credit crisis—in a sudden, forced sale, so the feds stepped in and rescued Bear's creditors by engineering a partly guaranteed sale of the firm to JPMorgan Chase.

That was when elected officials, regulators, and bankers finally realized the scary extent of

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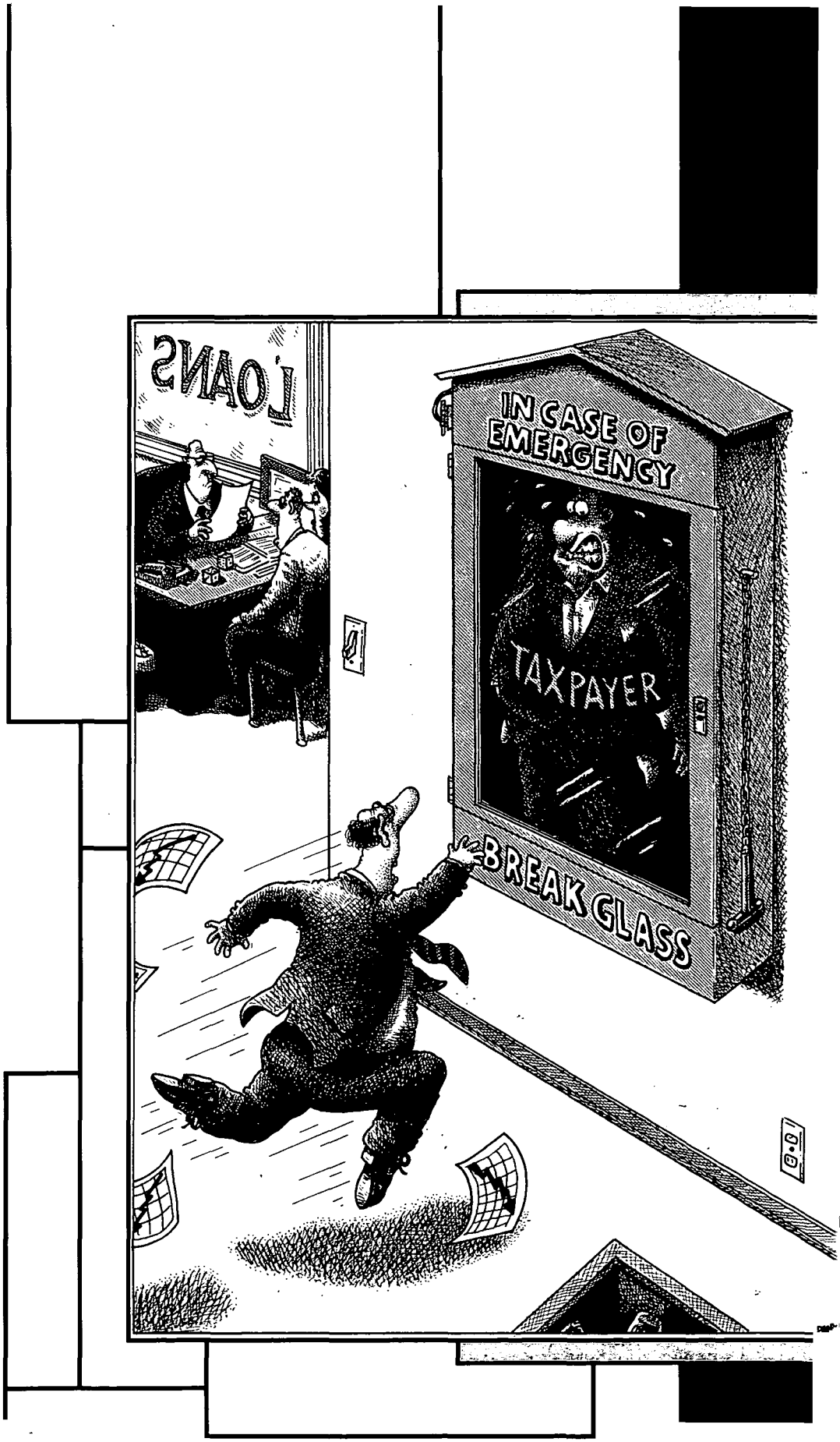

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the systemic risks that the banking industry has created. In its effort to stanch the losses to the credit system, the Fed began in March to lend directly to investment banks rather than just to commercial banks. The White House then nationalized Fannie Mae and Freddie Mac in August, to bolster Asian investors' waning confidence in the mortgage companies' debt. Weeks later, it quasi-nationalized AIG, worrying that the firm's bankruptcy would have meant defaults, or fears of defaults, on its half-*trillion* dollars' worth of credit default insurance. Just days after that, in mid-September, the government had to offer a temporary guarantee of money-market funds, the first such guarantee it had extended since 1933. Weeks later, Congress passed a clumsy proposal to spend $700 billion buying bad assets from financial institutions to free them up to make new loans.

Could free markets have sorted out this mess instead? Sure, but only by decimating the banking system and possibly putting millions of people out of work. It's clear that society won't stand by passively while such a correction occurs.

In creating an ad hoc safety net for huge swaths of the shadow financial system, Washington is a step closer to recognizing that the economy needs the same kind of protections from the securities business that it enjoys from the FDIC-regulated banking system. But the government's panicked lurching is no solution and will actually delay recovery by creating more uncertainty. Why did the feds rescue Bear's creditors but not Lehman's, potential lenders are puzzling. It could also distort the economy *after* recovery. By protecting lenders at some firms—while letting shareholders take their lumps—it has given investors an incentive to provide debt, not equity, to financial firms, when the firms need to carry *less* debt in the future. And by showing that it will step in to protect financial firms that are too big, or too complex, to fail, the government may be giving small firms an incentive to grow bigger and more complicated, just when rational markets would prefer that they get smaller and simpler.

Even the Treasury's plan to pump $700 billion into flailing financial institutions introduces long-term uncertainties. Above all, it threatens to create zombie financial institutions that would be dead if not for the extraordinary new privilege of selling bad assets to the Treasury in a crisis, a privilege that investors may assume will be available in the next crisis as well. The economy will suffer if, after the acute panic has calmed, government guarantees persuade lenders to trust the zombies over other, more deserving industries. Or say you're a factory worker, and your company winds up getting bought out with money lent by a bank that's only in business because the government propped it up back in 2008 and will likely do so again in the future. When your boss starts slashing jobs, your opinion of democratic capitalism is likely to sink.

How can a new administration in Washington put in place explicit, predictable ways to protect the economy from financial-sector failure in the future, now that it clearly understands that the markets aren't up to policing themselves without threatening severe economic disruption? For starters, it must avoid the pernicious but seductive idea that since failure has proved so dangerous, we have to prevent it.

Paulson, for instance, has talked about creating a federal "market stability regulator" to smooth out economic disruptions. But a healthy economy is an *unstable* one, with lots of "creative destruction"—that is, millions of jobs destroyed and created each year. (Stagnant economies, by contrast, are nice and stable.) A "stability regulator" might police the markets too aggressively, mistaking valuable innovation for a dangerous bubble and thus hurting prosperity. A regulator might also lull bankers and investors into thinking that we're safer when we're not. Regulators are far from infallible. Coupled with the implied promise of Fed lending in the next crisis, Washington could give life to another perilous government-guaranteed risk-taker, just as it did long ago with Fannie Mae and Freddie Mac.

If we're to remain a relatively free-market economy, we must allow bad companies to fail,

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even when—maybe especially when—they're big or complicated. The government needs to protect the economy from those failing institutions, not protect the institutions from the economy by making zombies out of them. Large, complex financial institutions, says Jay Westbrook, a business-law professor at the University of Texas at Austin, should be "too big to fail quickly"—not too big to fail at all.

We won half of this battle decades ago. Contrary to popular myth, Securities and Exchange Commission regulations already adequately shield the customers even of complicated investment banks. Lehman's plain old customers, who just kept their own investments at the company—as opposed to its lenders and trading counterparties, who depended on the firm's credit—were safe when it went bankrupt. If Bear Stearns had gone bankrupt, its customers would have been safe, too, as the SEC has attested. Investment banks and brokerage houses must already segregate customer assets, so they can't borrow against your securities without explicit permission. When a brokerage firm goes under, regulators simply transfer its customer assets to another bank. If the firm has committed fraud and not segregated these assets, a nonprofit company created by Congress, the Securities Investor Protection Corporation, guarantees 100 percent of them, up to $500,000. "In the overwhelming majority of instances, the system does work," says Stephen Harbeck, SIPC's chief.

Still, this arrangement needs updating. It's not clear that $500,000 remains sufficient protection in cases of fraud. It might be worth increasing that amount to several million dollars, which would encourage bigger customers to keep their investments warehoused at a firm even if it's generating some bad headlines. It's also a good idea to speed up SIPC transfers and payouts, making it more like the FDIC, which encourages banks' customers not to jump ship by working to transfer their money to a new bank the next business day, or even earlier, should anything go wrong.

"Large, complex financial institutions should be 'too big to fail quickly'—not too big to fail at all."

We must also lower the probability that the failure of an investment bank or other lightly regulated financial institution would cause the dumping of tens or even hundreds of billions of dollars' worth of assets simultaneously, eroding confidence in the value of similar assets. The government should thus create a permanent way in which big institutions or subsidiaries that aren't FDIC-protected can collapse without endangering the economy: a conservatorship structure for failed or failing firms, similar to what the White House did with Fannie Mae and Freddie Mac in September.

The White House took over Fan and Fred in an orderly fashion, getting rid of existing management and letting shareholders suffer the losses. A conservatorship for future failed companies would have two key differences, though. In order to ensure that companies and their creditors wouldn't have an incentive to take ever more risks, expecting future government bailouts, creditors would not be protected from their own losses, as they were at Fan and Fred (and later at AIG). And while the government could provide financing to assure a failed institution's continued operation for a while, the ultimate goal would be to close it down, selling good assets and paying back creditors and then shareholders with the proceeds, as bankruptcy courts already do. "It's very important that creditors worry about the prospects" of a company, says Willem Buiter, a London School of Economics prof.

As Westbrook notes, such controlled failure would require a new legal category of bankruptcy that wouldn't be simply a collection of private parties competing before a judge for their own interests. Instead, a government agency would represent the public's interest in keeping

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the economy going. These extraordinary bankruptcies would prevent some creditors from taking their collateral immediately and selling it in a crisis. The change would mean that secured lenders to big investment firms would demand higher interest rates for the new risk that their collateral could be indefinitely frozen. But such a cost could be beneficial: it would make smaller, nimbler financial firms newly competitive against the lumbering giants likely to be affected by the new bankruptcy category. New York, for one, needs a few small investment firms to start rebuilding its key industry, and giving them an even playing field will help.

Lawmakers and the next president would have to decide whether the Fed or a new entity would be in charge of figuring out which companies fall into the new bankruptcy category. Size would matter, obviously; perhaps all financial institutions with more than $100 billion in assets would be included. But complexity would matter, too—including the extent of a firm's dependence on short-term financing and the level of its involvement in labyrinthine securities markets. Above all, the government should make all the parameters explicitly public, so that these companies' shareholders, creditors, and trading partners would understand in advance that they would face real losses in a crisis.

The next step is to ensure that markets have enough clear information to determine which companies are good and which are bad. Ever since FDR and Congress started requiring regular disclosure of pertinent financial facts as part of the New Deal, the feds and the companies they regulate have struggled to distinguish useful facts from useless information dump. In 1934, one letter writer grumbled to the *New York Times* that "there are two ways of deceiving the public—one is to tell them too little and the other is to tell them so much that they cannot separate the wheat from the chaff. It strikes me that Mr. Roosevelt's Securities Act . . . is going to be primarily useful to the paper trade."

We can always work to improve imperfect systems, though. In the next couple of years, the SEC will require firms to disclose data in a format simpler to read and search than the current one, and "tag" data, too, so that debt levels and profit margins are easier to compare across companies. A contemplated move to adopt less complicated global accounting standards, forsaking the domestic ones we've used for decades, could give companies an incentive to think of basic principles when disclosing facts and risks rather than labor to meet the requirements of thousands of pages of rules. The switch would also open up our books to more global investors.

Yet reports of the complexity of financial statements are exaggerated. Take Citigroup, a huge, complicated company. Citi's annual report for 2005, issued before the credit crisis started, was 168 pages long, easy for a sophisticated investor to read in a couple of days. Even a just plain literate investor, armed with Google to look up a few terms, could slog through it. In the report, Citigroup disclosed some of the risks that have become only too apparent this year—admitting, for instance, that it could be on the hook for the performance of $55 billion in securities held "off balance sheet" (such obligations have become a major problem in the credit crunch).

But while you can lead an analyst to a financial report, you can't make him read it or care. Investment banks like Bear Stearns have always been very clear that their financial statements *weren't* clear and that they were taking ever more risks in obscure areas of the markets. For years, analysts happily labeled such firms black boxes and gave up trying to understand them, just as analysts had done at Enron half a decade earlier.

Nevertheless, for every 100 people who invested blindly in the worst mortgage-backed securities two years back, one person read through a 500-page disclosure report on those securities and shorted them. Markets work through a combination of herd mentality, laziness, and real research, and the government can never change that reality. As William Douglas, the third commissioner in the SEC's then-short life, said in 1937 of new disclosure rules: "We can demand full disclosure of the facts, we can insist upon a market free of manipulation, we can fight fraud, but we cannot provide sound business judgment, nor can we save a fool from his folly."

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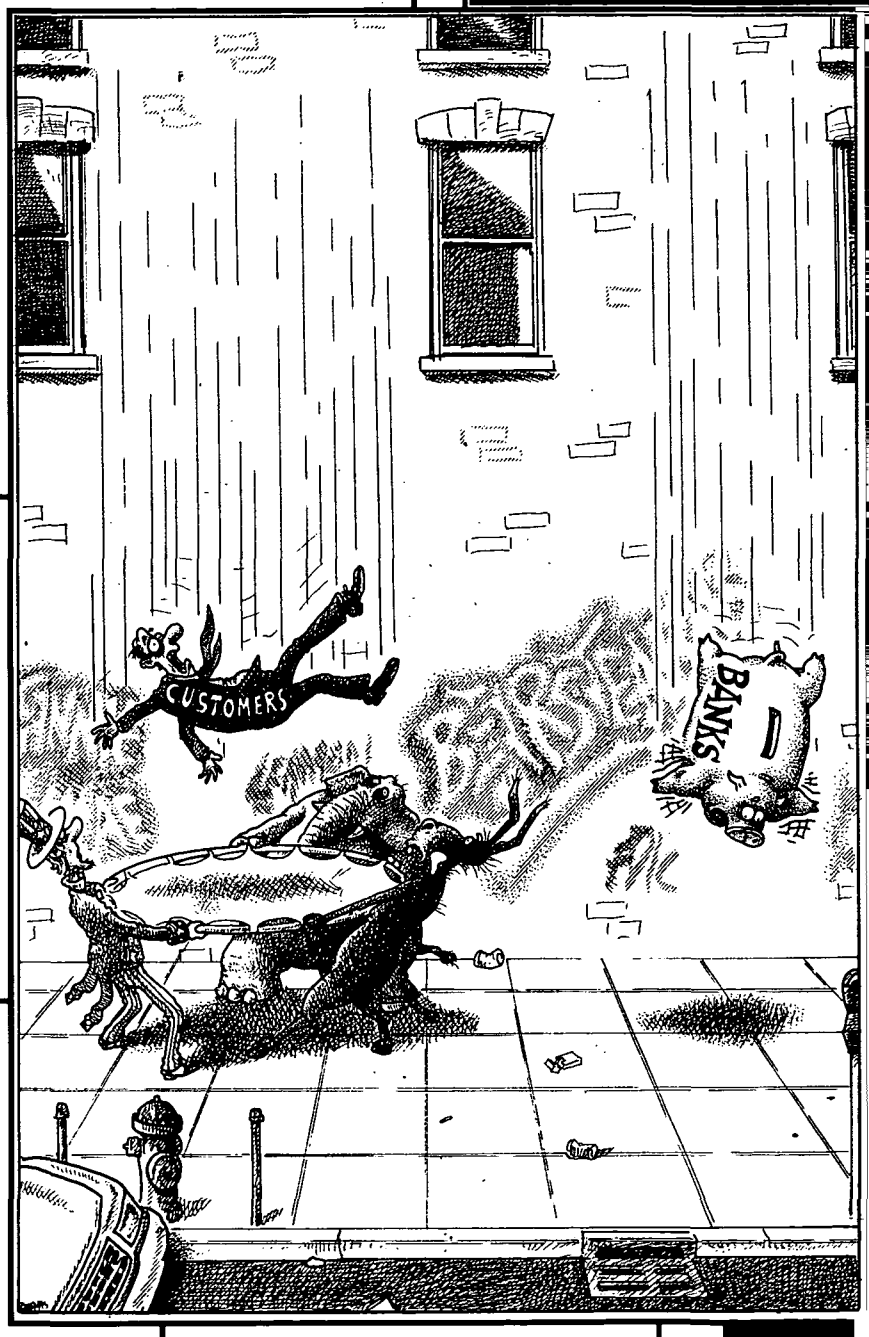

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Storm-Proofing the Economy

As the government tries to decide where to shield the *economy* from human folly, a major criterion again should be size. If a new, custom-made kind of derivative security makes up a tiny percentage of the financial world, it likely doesn't need much regulation because it can't hurt anyone. But once it has grown into a market of tens of billions of dollars, it needs regulators and clear rules to protect it from a sudden loss in confidence that could injure the all-important money and credit supplies.

One problem with the current regulatory regime is having too many regulators with competing jurisdictions. In certain markets today, for example, it's unclear whether regulatory responsibility lies with the Securities and Exchange Commission or the Commodities Futures Trading Association, and Congress has exempted some securities from any regulation. Consolidating different markets into one regulatory agency and beefing up staff and expertise would fill in some gaping holes.

As for which regulations to impose, that isn't rocket science. Start with the boring old stock market. Until last year, the SEC forbade investors to "short" stock—that is, to borrow the stock and sell it in the hope of returning it to the lender once the price of the stock drops—unless that stock had first traded upward from its previous trade. That rule, implemented in 1937, made sense, because it kept short-sellers from pushing the value of a stock to zero. We should restore it.

In less straightforward financial markets, the government, and the remnants of the private industry, are already lighting a few candles. In what's left of the credit-insurance market, for instance, financial institutions are slowly moving transactions into a central clearinghouse, rather than leaving them on thousands of investment firms' and hedge funds' books, so that instruments are more standardized and regulators can see what's going on. In New York State, Attorney General Andrew Cuomo has recognized credit derivatives as insurance contracts and is preparing to regulate them as such. The same principle should hold across other markets and instruments. When something is large enough or threads its way through the investment world extensively enough to be able to cripple the entire system, it's time to regulate it, by doing things like requiring a central, well-capitalized clearinghouse for transactions, limiting borrowing, and making sure that there is sufficient cash collateral to back up certain securities, as we already do in the stock market.

It's also worth remembering that regulators are usually several steps behind the market. New regulations aren't necessary now to rein in complicated structured-finance markets, for example; the markets have already declared them dead. And new regulations for the large investment banks have become irrelevant in the short term, because the last two survivors, Morgan Stanley and Goldman Sachs, have decided, under market pressure, to convert to commercial-bank structures, giving them permanent Fed lending privileges in exchange for greater oversight and borrowing restrictions. In the end, the market's verdict works. The important thing is for regulation to lessen the risk that the market will destroy the economy to right itself.

Today's markets are uncertain for economic and financial reasons, of course, but also because lenders can't know what the future regulatory landscape will look like. It took Wall Street years to get used to the securities regulations of 1933 and 1934. True, it had to grow accustomed to regulation in the first place; today, firms are accustomed to answering to Washington in terms of securities disclosures and regulatory enforcement.

Any new regulations, even if enacted quickly and well, will likewise take time to get used to. So far, the presidential candidates have been vague on the big questions, when clarity could add confidence to the markets. Whatever the new president and the likely Democrat-controlled Congress decide to do, they need to be crystal-clear about it, as Roosevelt was 70 years ago. What's left of Wall Street—and the entire economy—will need that head start to adjust to the coming changes. ■

Research for this article was supported by the Brunie Fund for New York Journalism.

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New York State's Fiscal Reckoning

Long addicted to massive Wall Street revenues, Albany faces an agonizing withdrawal.

E. J. McMahon

The financial-market implosion and the coming transformation of the securities industry will expose the fundamental flaw in New York State's woefully overextended public finance model. The state budget is today geared to run on an ever-expanding stream of high-octane revenues from a Wall Street that no longer exists—and the rest of New York's economy isn't nearly robust enough to make up the difference.

With an occasional bear-market interruption, the state's financial dependence on Wall Street has grown steadily for more than a quarter-century. As New York's once-mighty manufacturing sector shriveled, the securities industry's share of all private wages in the state more than quadrupled, growing from 3 percent to 14 percent between 1980 and 2000. And after the 2000–02 downturn, Wall Street's share of the state revenue base took another giant leap. By 2007, securities-industry wages and bonuses in New York had climbed to nearly 18 percent of private-sector wages in the state (compared with just 2 percent in the rest of the country). The average Wall Street salary and bonus as of last year was a staggering $379,000—more than *six times* the average for all private-sector jobs in the state.

Graphs by Alberto Mena

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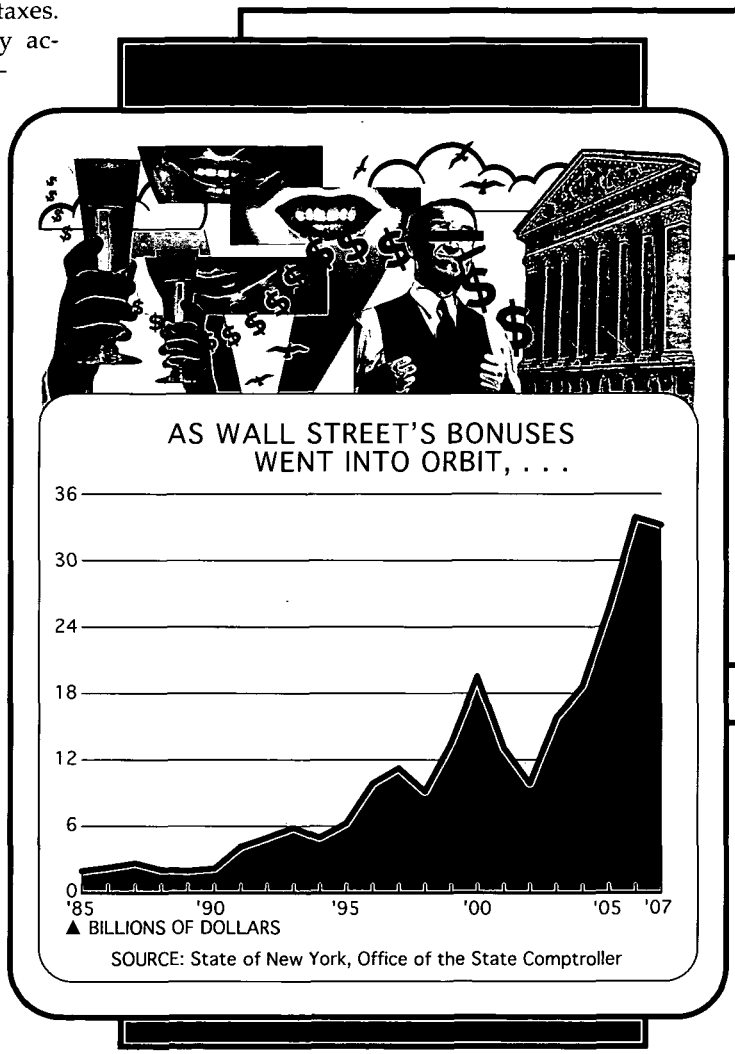
New York State's Fiscal Reckoning

Handsome wages translate into sizable taxes. Wall Street bonuses and salaries probably accounted for at least one-third of the net increase in state income tax liability between 2002 and 2007. That's not counting the (taxable) capital gains and dividends generated by the last stock-market boom, or the (taxable) profits that investment banks, private equity firms, and hedge funds generated for other New York businesses, from black-car companies to white-shoe law firms. Last year, New York State's 212,000 securities-industry employees generated more income taxes for Albany than did the 3 million or so households reporting incomes below $50,000.

In fact, while the securities industry accounted for less than 3 percent of New York's employment and 9 percent of its GDP last year, Wall Street generated 20 percent of state tax revenues. Since the financial sector's bonus babies made so much to start with, their pay hikes were fully taxed at the marginal state income tax rate of 6.85 percent. And the income tax is imposed on all wages and salaries earned in New York, including by residents of other states—effectively exporting a portion of the tax burden to New Jersey and Connecticut. The state thus has an even more immediate and direct *fiscal* stake in Wall Street than does New York City, where the economic impact of the crisis is potentially much broader and deeper.



And now all those numbers have gone shuddering into reverse. At best, New York State will experience a repeat of fiscal years 2000–01 through 2002–03, when income tax revenues dropped 16 percent, with the decrease concentrated entirely among upper-income households. At worst, a broader, more serious national recession will push New York into a much deeper hole.

The financial crisis will take the blame for New York's looming budget crunch, of course. But the fundamental problem is out-of-control government spending. During Republican George Pataki's third and final term as governor, which ended in 2006, the "state funds" portion of the budget (the part that excludes federal aid) rose 19 percent when adjusted for inflation, including billions added by the state legislature over Pataki's vetoes. The rate of spending growth was the fastest since Democrat Mario Cuomo's second term in the late 1980s—which, not by coincidence, provoked the state's worst fiscal crisis since the 1970s. Yet this time around, Wall Street churned up so

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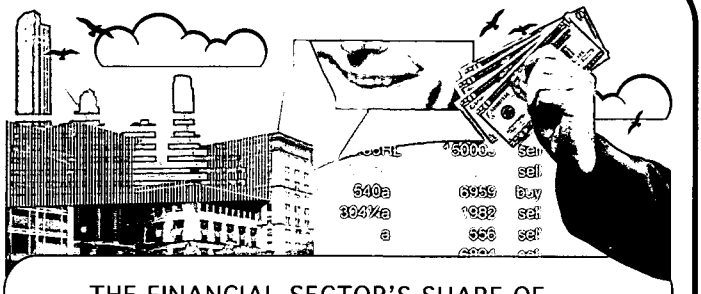
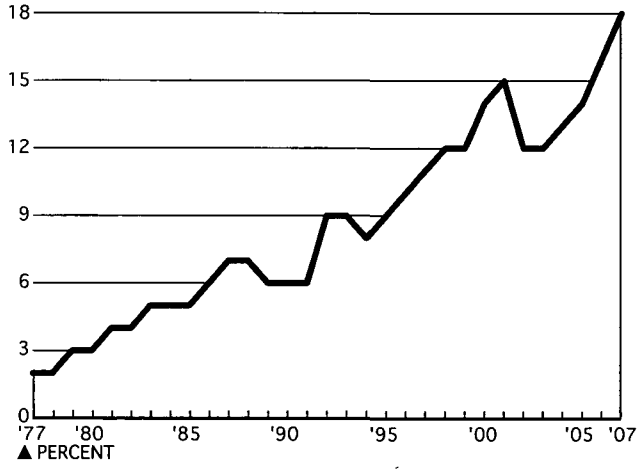


. . . THE FINANCIAL SECTOR'S SHARE OF PRIVATE WAGES IN NEW YORK STATE SOARED, . . .



SOURCE: Bureau of Economic Affairs, U.S. Department of Commerce

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New York State's Fiscal Reckoning

much new revenue that Pataki could leave behind a $3 billion cash balance. That rapidly shrinking cushion is now all that keeps New York from sinking into a deep pool of red ink.

In January 2007, Democrat Eliot Spitzer became the first New York governor since Franklin Roosevelt to take office just as the economy was peaking—giving him plenty of room to engineer a soft landing before it was too late. But after campaigning on a pledge to control spending, Spitzer only made things worse. His first budget called for an 8 percent spending hike (which, he absurdly countered, represented "spending control" because it was lower than the 11 percent increase enacted by the legislature during Pataki's last year).

Worse still, Spitzer built his budget around a proposed $7 billion, four-year increase in the largest category of state spending: school aid. This was a striking departure from the budget-control strategies adopted by his predecessors in both parties. Because school finance (unlike Medicaid) is almost entirely shaped by state law and because legislators perennially treat education as their Number One budget priority, Pataki, Cuomo, and Democratic governor Hugh Carey all understood the necessity of holding down school aid in their executive budget proposals (and did so except when running for reelection themselves). They would then grudgingly allow the legislature to "buy" increases in school aid, sometimes in exchange for other budget concessions. Spitzer and his staff derided this process as a childish charade. But it served its purpose.

Predictably, the legislature sweetened Spitzer's new formula before adopting it. But pouring so much new money into what was already the nation's best-funded public school system only

The Public-Sector House of Cards

As the U.S. financial markets froze, two front-page *New York Times* stories about how retirees were faring made a jarring contrast. One, on September 23, painted the picture you'd expect of worried seniors squeezed between eroding 401(k)s and skyrocketing property taxes on homes they believed safely bought and paid for. The other, two days earlier, reported that almost every recent retiree from the taxpayer-subsidized Metropolitan Transportation Authority's Long Island Rail Road division had successfully claimed disability benefits from a special federal fund for railway workers *after* they had retired, so that former train engineers still in their fifties were raking in up to $170,000 a year. Their purported disabilities entitle them to free use of state recreation facilities: a mordant page-one photo showed a youthful and healthy-looking taxpayer-supported LIRR retiree enjoying a complimentary round of golf on a taxpayer-owned Long Island course.

This rip-off, which the state attorney general is investigating, is an almost comically extreme case of a scandal now so widespread that we hardly notice it: public-sector employees living better than the private-sector workers who struggle to pay the ever-rising taxes that support their supposed servants. The average public-sector worker's wages are more than a third higher than his private-sector counterpart's, as Steven Malanga reported in these pages ("The Conspiracy Against the Taxpayers," Autumn 2005), and with fringe benefits like health care and retirement thrown in, his total compensation swells to almost half again as great as the private-sector average. Unlike most private-sector workers, whose 401(k) retirement plans shift all risk to them, public-sector workers have guaranteed pensions, which kick in earlier and are much richer than the few remaining defined-benefit private-sector pensions, and they boast automatic cost-of-living hikes to boot.

Economist Herb Stein famously remarked, "Anything that can't go on, won't." The current credit mess is one spectacular case in point: when Congress pushes banks to give mortgages to borrowers of doubtful creditworthiness, when banks find they love doing so, when outfits like Fannie Mae package the loans into bags of a lot of nothing that together supposedly add

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encouraged school districts across the state—including New York City's—to expand programs further, hire additional staff, and fatten already generous teachers' contracts. At the same time, putting yet more pressure on the budget, Spitzer and the legislature agreed to a four-year, $2 billion expansion of Pataki's huge STAR program, which gave state-subsidized school-property-tax breaks to suburban and upstate homeowners (and further relieved pressure on school districts to constrain spending).

In his second budget, released last January, Spitzer proposed another spending increase, this time of 6 percent, despite clear signs of big trouble brewing in the financial sector. Negotiations with the legislature had barely begun when his dalliances with prostitutes forced him to resign—the same week, coincidentally, that Bear Stearns collapsed.

The new governor, Democrat David Paterson, was a reliable tax-and-spend liberal during his 21 years as a state senator from Harlem. But during his first five months in the governor's office, Paterson proved a surprisingly strong voice for fiscal responsibility. In August, a month before the financial markets melted down, Paterson warned of a worsening financial crisis and coaxed legislators back to the Capitol for an unusual preelection budget-cutting session.

Their negotiations produced an agreement to cut spending by $1 billion in 2009–10, according to the governor's estimates. But this reduction was a drop in the bucket. The budget gap for 2009–10 has probably mushroomed beyond $7 billion, over 12 percent of general fund revenues. Indeed, measured by the more rigorous and revealing Generally Accepted Accounting Principles (GAAP) that apply to New York City, the

up to something, and when million-dollar-a-year thirtysomething Wall Street quants claim to have a formula for putting an exact dollar value on that something, the whole house of cards is bound to collapse. Another case in point is the public sector's house of cards. Since public-employee unions, along with government-subsidized social-services and health-care outfits, have become the new powerhouses of our city and state politics, elected officials, dependent on their financial and campaigning support, have gladly showered other people's money upon them, especially for pensions, which won't have to be paid out until the pols are only names on some pork-barrel stadium or hockey rink. One by one, businesses and individuals (like today's hard-pressed private-sector retirees) decide they won't or can't pay the taxes, and they leave. The collapse comes in slow motion, but inexorably: once-legendary cities—Baltimore, Buffalo, Detroit, Philadelphia—fade into ghosts of their former greatness.

New York has escaped that fate, thanks to the political genius of Mayor Rudy Giuliani and the bonanza of Wall Street's second Gilded Age. But that's over—with the suddenness, almost, of 9/11. Mayor Michael Bloomberg, taking office just after terrorists blew a hole in the heart of Gotham's financial district, let pass the opportunity for radical reform that comes only with extraordinary crises. Now that somber opportunity has come to him again. He can tell New Yorkers that, with the city's major industry and wealth generator in ruins—with the five great investment banks that seemed so solid having melted into air overnight—the public spending that ballooned on his watch like a financial bubble can't go on and so won't. He can say that with 40,000 Wall Streeters losing their jobs, the city workforce will shrink as well. He can say that with their incomes cut, New Yorkers will not face higher taxes to support needless borough presidents' offices, a redundant civil rights commission, and thousands of other unnecessary "services."

If ever the time called for a heroic leader, it is now. But as Mayor Bloomberg has already suggested a 7 percent property-tax hike and a 2.5 percent spending cut, God help Gotham.

—Myron Magnet

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New York State's Fiscal Reckoning

Gotham's "Uncontrollable" Crisis

In mid-September, as turmoil shook Wall Street, New York City mayor Michael Bloomberg said that he wanted city agencies—from police to education to homeless services—to cut their budgets by 2.5 percent for the rest of this year and to plan 5 percent cuts for next year, on top of similar cuts announced last year. The mayor also said that he would probably ask the city council to increase property taxes by 7 percent this year, rather than waiting until next year, as was the original plan. But this strategy won't help Gotham avoid fiscal and social disaster.

Between 2000 and 2007, New York City's tax revenues grew by a record 41 percent after inflation, yielding an annual increase, toward the end, of more than $11 billion. Most of that money went to support new, permanently higher city spending. Yes, the mayor reserved a few billion for future budget deficits. But once that cushion is gone, the underlying problem will remain: unsustainable spending in areas that Bloomberg considers "uncontrollable." Over the same period, these areas—debt costs, Medicaid, and pension and health costs for city workers—rose 57 percent, making up 40 percent of the city's annual $60 billion budget.

The soaring tax revenues that fueled the splurging came, in large part, from Wall Street. Personal and business income taxes, including banking taxes, provided a third of city tax revenues. Finance and real-estate companies were responsible for about a third of the city's business-tax revenue, while banks (obviously) were responsible for 100 percent of the banking taxes. As for personal income taxes, last year the top 1 percent of taxpayers—those who earned more than $500,000 each—paid 49 percent of them. Many of these taxpayers were, of course, dependent on Wall Street and heavily invested in troubled companies like Lehman, AIG, and Bear Stearns. In short, since the mayor took office in 2002, and since the recovery from the tech bubble and 9/11, the only thing that has stood between the city and a fiscal crisis was Wall Street's business, now exploded, of structuring and selling off inscrutable securities.

Bloomberg's focus on "controllable" agency spending means letting the "uncontrollable" parts of the budget continue to swell, even though the money to fund them has disappeared. In two years' time, whoever is mayor, if he chooses to follow the same strategy, will have to pare the "controllable" budget by at least 15 percent to close a projected $5 billion deficit, even after the 7 percent property-tax hike that's already in the works. Such cuts could severely damage New Yorkers' quality of life. Worse, since cutting education by 15 percent is politically unfeasible, other essential departments would bear the brunt. And even those cuts may not be enough, because today's deficit projections are premised on a quick Wall Street recovery. If that doesn't happen, the deficits will spiral, possibly by billions.

Cutting the city's core services to keep funding "uncontrollable" costs would drive away middle-class New Yorkers, risk eroding the tax base, and imperil the gains that the city has made over the past two decades. Instead, the mayor should say publicly that it's time to figure out how to cut the "uncontrollable" costs. This means working with the state to reform Medicaid so that it does its job—providing humane health care for the poor—without enriching so many special interests. It also means working with Albany and the public labor force to modernize future pension and health-care benefits so that workers pay some of their own health-care premiums and take on some responsibility for their own retirement funds (in well-diversified personal accounts, of course, and with strict oversight and regulation).

Unless Wall Street conjures up a miracle, these steps are the only way to avoid raising taxes (beyond the property-tax hike). And avoiding such tax increases is the best way for New York to attract people from around the country and the world to come and rebuild its economy.

—Nicole Gelinas

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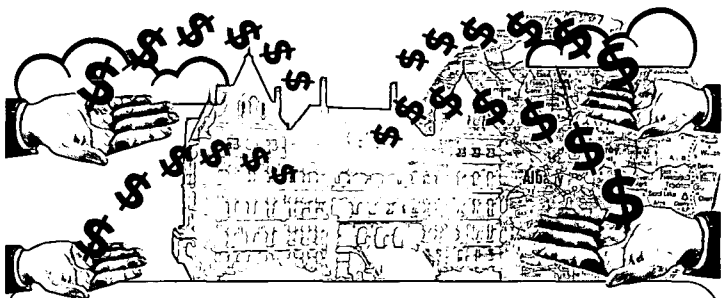

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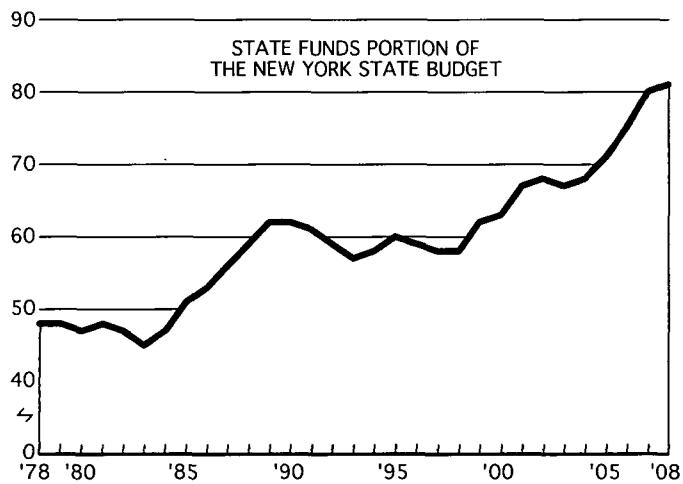

SOURCE: State of New York, Division of the Budget

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New York State's Fiscal Reckoning

state's general fund budget is $2 billion in the hole *this* year.

And Albany's official budget gap doesn't include a projected four-year, $6.4 billion operating deficit in the state's massive Metropolitan Transportation Authority (MTA), which runs the buses, subways, and commuter trains in the New York City metropolitan region. Or the nearly $2 billion unfunded liability in two of the MTA's three pension plans. Or the $15 billion hole in the MTA's next capital plan. Or the $8 billion hole in the statewide capital plan for highways and bridges. Or the estimated $47 billion unfunded long-term liability for health coverage promised to retired state government employees.

Incredibly, Albany managed to go more deeply into debt, increase its long-term liabilities, *and* shortchange core transportation infrastructure needs even while the good times rolled. So now what? If the past is any guide, Paterson and the legislature will try to muddle through the coming year with a combination of minimal spending restraint, debt-based fiscal gimmickry, fee hikes, and—worst of all—tax increases, in a state already struggling under one of the heaviest tax burdens in the country.

Indeed, Paterson recently wavered on whether he'll ultimately sign off on the kind of income tax increase that he rejected earlier in the year. Assembly Democrats, under the leadership of Speaker Sheldon Silver, have passed two versions of a "millionaire tax" this year, the latest of which would raise the top rate by nearly 2 full percentage points. The new Senate Republican leader, Dean Skelos of Long Island, has flatly rejected any tax hikes. But the Republican Senate majority may not survive a Democratic tide in the November elections.

There's a better way out of this crisis. Prior to the Wall Street storm, the numbers indicated that Paterson could close the gap and balance his budget merely by holding spending growth to zero next year. The erosion of revenues caused by the meltdown means that he will now have to slash state-funded expenditures by at least 2 to 3 percent. It's been done before—most recently by Pataki, in the mid-1990s.

Plenty could be saved by downsizing state agencies, and there's money to be raised in the short term from selling or privatizing assets. But with nearly three-quarters of his budget dedicated to Medicaid, public schools, and other local assistance, Paterson can't begin to eliminate next year's gap merely by nibbling around the edges of state operations. The main targets are obvious: school aid, which would rise by $2 billion under the current spending formula; and Medicaid, projected to increase another $1.7 billion.

But spending restraint in the coming year isn't remotely enough to get New York finances under long-term control. New York must reduce permanently the size and scope of its public sector. Paterson and the legislature need to give New York City mayor Michael Bloomberg and other local government leaders the tools they need to manage more efficiently. That should start with a sweeping reform of the Taylor Law, which sets the terms of collective bargaining on terms overly favorable to public-employee unions. Paterson must also take the lead in proposing a major reform of public pensions and a restructuring of costly and unfunded health benefits for government retirees.

Instead of hammering what's left of its economy with new taxes, New York needs a bold strategy for promoting growth. Two decades of industrial policy, in the form of targeted economic development grants and public works, haven't revived the upstate economy or stemmed the region's continuing population losses. Paterson should instead propose significant new tax breaks for New York investment—and, to jump-start the upstate economy, something truly dramatic, such as the phased elimination of corporate taxes north of the mid-Hudson region, as the business group Unshackle Upstate has suggested.

Above all, though, Paterson has to recognize that Wall Street isn't in just another cyclical downturn. In effect, the state government has been skimming the profits of a gigantic casino packed with drunken gamblers. Now the casino has shut down permanently, and what replaces it will be more like a sedate church bingo hall. That's going to require Albany to make a radical adjustment to its expensive and expansive lifestyle. ■

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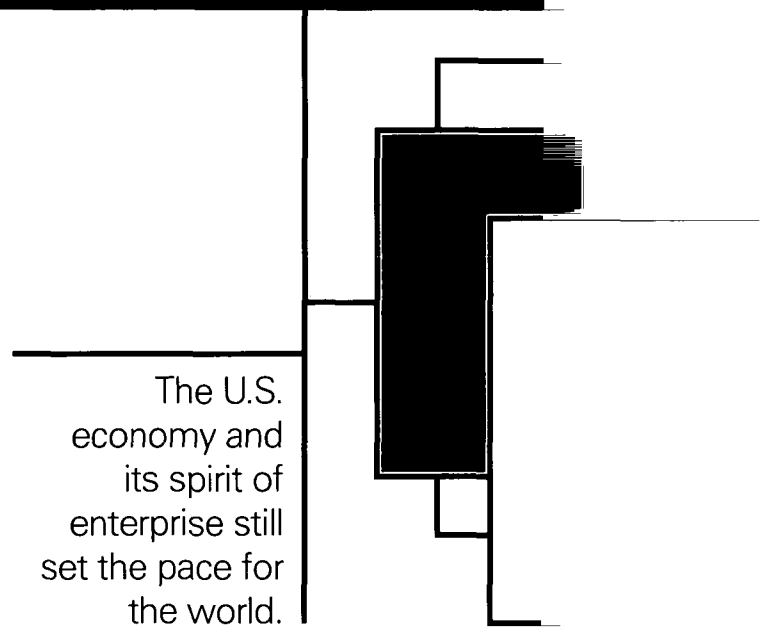
America at Work



The U.S. economy and its spirit of enterprise still set the pace for the world.

Guy Sorman

Europe usually responds to bad news from the United States with a mixture of outward sorrow and hidden jubilation; the Germans call it "schadenfreude." This ambiguous feeling made an appearance after 9/11, and it has reemerged in the present financial crisis. Few media and political leaders have failed to wonder whether this is, at last, the end of arrogant Anglo-Saxon capitalism; the Continent could then return smugly to its preferred statist stagnation. By thus overreacting, the Europeans overlook the fundamentals of any growing economy: it is cyclical, growth requires innovation, and there can be no innovation without trials and errors. Further, the current error will not change America's economic leadership of the world. An economy that takes no risks will make no accidents, true, but in the long run it will not grow.

In 1820, about ten years before Alexis de Tocqueville made his famous visit to America, a spectacular event took place, though nobody could have known it at the time: U.S. per-capita income overtook that of Western Europe. This stunning fact was revealed only last year, in a new study by the Organisation for Economic Co-operation and Development. The study, conducted by renowned economist Angus Maddison, also showed that the U.S. economy had remained the world leader ever since 1820. (Though some small European countries, like Norway, rank ahead of the United States in per-capita terms, the OECD compares areas of similar size—the U.S. as a whole versus Western Europe as a whole.) Prior to the study, American economic preeminence was widely believed to date to 1904, the year the World's Fair was held in St Louis We now know that St Louis

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America at Work

represented not the moment when the U.S. overtook Europe economically, but the moment when large European business delegations discovered that Europe trailed America in mechanization and innovation.

How did a rather small nation, which had no more natural resources than Europe and little in the way of trading activity, overtake Europe economically in 1820? Was it through slave labor? No: the economy of the Northern states was performing better than that of the Southern states, where only the local aristocracy attained a decent standard of living. The true reason for the American economy's takeoff was the focus of Tocqueville's visit: democracy itself. In early-nineteenth-century Western Europe, still dominated by the nobility, aristocratic consumers set the tone for the whole economy, and they wanted beautifully handcrafted (and expensive) goods. In the United States, by contrast, egalitarian-minded citizens wanted access to cheap goods—and mechanization and standardization fulfilled their wishes, leading to the Industrial Revolution and the world's first mass market. To a degree unknown in Europe, standardization became the economic manifestation of the Jacksonian age. Nearly two centuries later, the same practical rationale—standardizing products to meet popular demand—underpins the U.S.'s continued economic leadership. Despite much talk about American decline and the recent Wall Street crisis, the U.S. economy continues to set the pace for the world.

To better understand this sustained American leadership, I visited with executives from three representative firms: Google, in Mountain View, California; IBM, in Yorktown Heights, New York; and Nanodynamics, in Buffalo. Though different in many respects, the three companies share an adherence to democratic principles, a dedication to collaborative relationships with universities, an understanding of the economic phenomenon of creative destruction, and a commitment to cultural diversity.

Google's Internet search engine, and its other innovations, like the just-released Chrome Web browser, target the masses, not the elites. Google's innovations are based on a uniquely American and democratic belief in the wisdom of the crowd, as opposed to the European conviction that experts always know better. Google ranks results based on popularity; in Western Europe, experts would give the grades. True, Allan Eustace, Google's vice president, prefers the term "enlightened popularity," since websites' rankings are determined not only by the number of visits they get but also by many other criteria, such as the number of links to them or the number of quotations from them in related websites and in published articles. But eventually, he admits, "the Web decides, not the experts." He adds that "Google's criteria are now accepted by the whole world." Whether the world is becoming Americanized or the U.S. is an advanced laboratory for mankind is an open question.

"The American entrepreneur has a passion for the market," says Keith Blakely, founder and CEO of Nanodynamics, a pioneer in the revolutionary field of nanotechnology. While European fundamental research can sometimes be superior, American innovation is usually first to market. In the American vision, an idea is good only when the market buys it. Again, it's a democratic view of the purpose of innovation. This explains the unique relationship in the United States between universities and business. In Western Europe, professors and entrepreneurs seldom talk to one another; in fact, to do so is often regarded as a breach of etiquette. In America, Nanodynamics uses university equipment, consults university professors, and shares its discoveries with universities.

Beyond the democratic principle, another engine is at work within these companies, one that existed on a much smaller scale in the early nineteenth century: what Harvard economist Joseph Schumpeter dubbed "creative destruction" in 1942. Schumpeter meant that the new constantly replaces the old and that the market reallocates resources accordingly. Nanodynamics has offices in a former Ford plant in Buffalo, in the heart of the Rust Belt: low-skill jobs have been replaced with high-skill, better-paying ones. In Yorktown Heights, IBM survived several waves of creative destruction and now prospers by following Schumpeter's principle internally: the company has sold its hardware-manufacturing operation to a Chinese firm and now focuses

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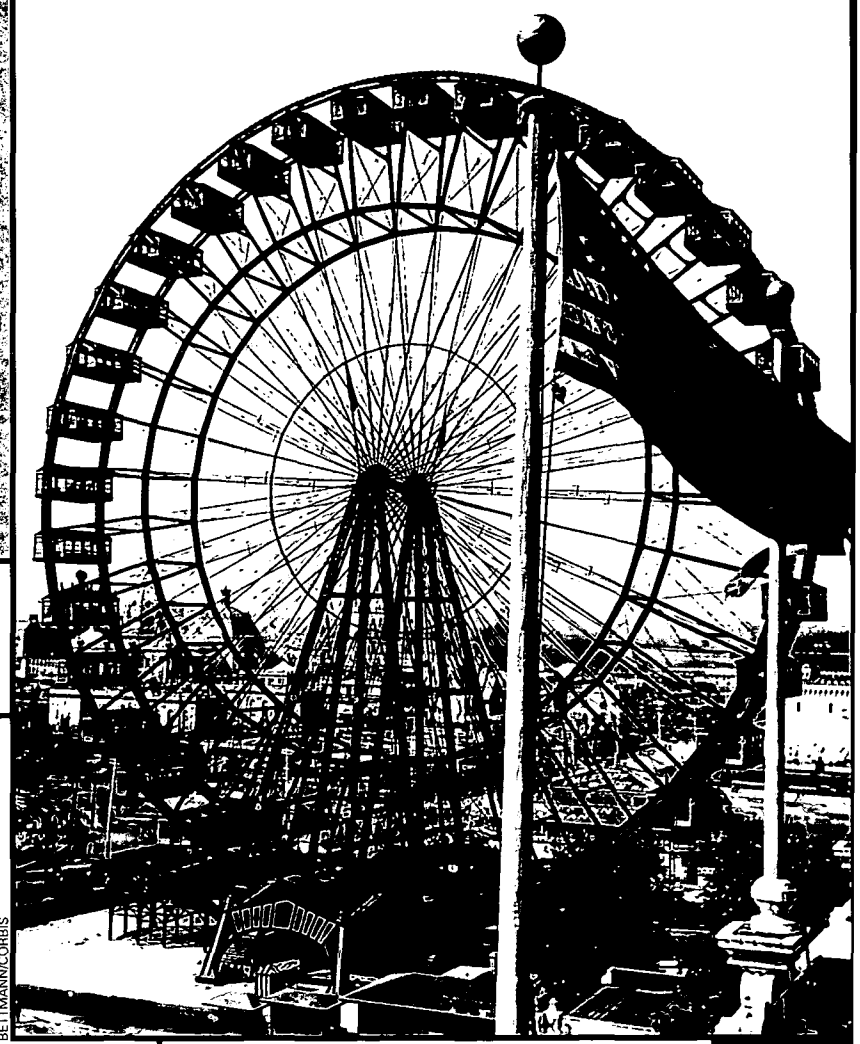

BETTMANN/CORBIS

Europe first recognized American economic superiority at the 1904 World's Fair in St. Louis.

on customer service and developing sophisticated systems.

Finally, there is American cultural diversity (which was not a factor in Jacksonian or Tocquevillian America). Wherever you come from, if you have fire in the belly, you go to the U.S., says Ajay Royyuru, who left India and eventually became manager of IBM's computational biology center. Does Suvankar Sengupta of Nanodynamics feel nostalgic about Bengal? "As a land of opportunities," he says, "the U.S. remains unchallenged, while you are never criticized for taking risks. Moreover, when you are good at what you do, nobody in America asks you where you come from."

"A German company is ahead of us in the market," admits Caine Finnerty, the Nanodynamics fuel-cell expert and a former Englishman. "But we'll eventually take over while we tackle the subject from all cultural angles with our cosmopolitan team."

As Milton Friedman loved to say only in America □

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We Don't Need Another War on Poverty

As the urbanism of the nineties showed, cities can forge their own futures.

Steven Malanga

Do our cities need another War on Poverty? Barack Obama thinks so. Speaking before the U.S. Conference of Mayors this June, the Democratic standard-bearer promised to boost spending on public schools, urban infrastructure, affordable housing, crime prevention, job training, and community organizing. The mayors, joined by many newspaper editorial pages, have echoed Obama in calling for vast new federal spending on cities. All of this has helped rejuvenate the old argument that America's urban areas are victims of Washington's neglect and that it's up to the rest of the country (even though most Americans are now metro-dwellers) to bail them out.

Nothing could be more misguided than to renew this "tin-cup urbanism," as some have called it. Starting in the late 1960s, mayors in struggling cities extended their palms for hundreds of billions of federal dollars that accomplished little good and often worsened the problems that they sought to fix. Beginning in the early nineties, however, a small group of reform-minded mayors—with New York's Rudy Giuliani and Milwaukee's John Norquist in the vanguard—jettisoned tin-cup urbanism and began developing their own bottom-up solutions to city problems. Their innovations made cities safer, put welfare recipients to work, and offered kids in failing school systems new choices, bringing about an incomplete, but very real, urban revival.

Yet this reform movement remains anathema to many liberal politicians, academics, and journalists, who have ignored or tried to downplay its achievements because it conflicts with their left-of-center views. The arrival on the scene of Obama, a former Chicago community activist and the first presidential nominee in recent memory to rise out of urban politics, has given these back-to-the-future voices their best chance in years to advance a liberal War on Poverty–style agenda. As the nation debates its future in the current presidential race, it's crucial to remember what has worked to revive cities—and what hasn't.

The original War on Poverty, launched by the Johnson administration in the mid-sixties, was based on the assumption that Washington had to rescue American cities from precipitous—indeed, catastrophic—decline. It's important to remember that the cities themselves helped propel that decline. Political machines had long run the cities, and they imposed increasingly high taxes and throttling regulations on employers and often entrusted key government agencies, including police departments, to patronage appointees. The cities' industrial might protected them from serious downturns for a time. But as transportation

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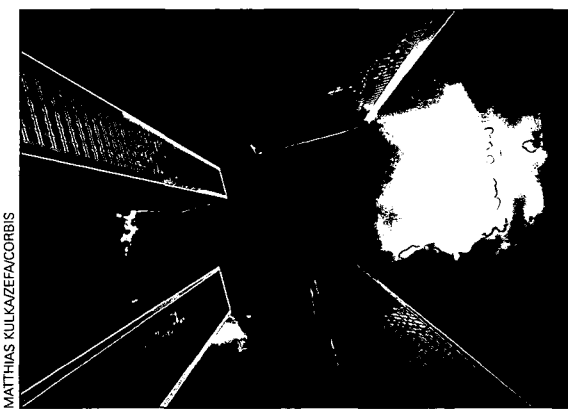
advances beginning in the 1950s enabled businesses to relocate to less expensive suburbs or newer Sunbelt cities, and did so just as a generation of poor, uneducated blacks from the rural South began migrating to the urban North, the corrupt and inefficient machines proved unable to cope with the resulting economic and demographic shock. Urban poverty worsened (even as poverty was shrinking dramatically elsewhere); crime exploded; public schools, dominated by reform-resistant, inflexible teachers' unions, became incubators of failure, with staggering dropout rates for minority students; and middle-class city dwellers soon followed businesses out of town. Some industrial cities, scarred further by horrific race riots during the sixties, crumbled into near-ruins.

Yet the War on Poverty's legislative architects ignored the cities' own failings and instead embraced the theories of left-wing intellectuals, who argued that the external forces arrayed against the poor, such as racism or globalization, were simply too overwhelming to address on the local level. "Officials and residents in urban communities are losing control of their cities to outside forces," warned urban planners Edward Kaitz and Herbert Harvey Hyman in their book *Urban Planning for Social Welfare*. "Cities are relatively powerless." The answer was federal intervention. Columbia University's Frances Fox Piven and Richard Cloward gained an influential following among policymakers by arguing that an unjust and racist nation owed massive government aid to the poor and mostly minority residents of struggling cities. Further, to compel those residents to work in exchange for help, or even to make them attend programs that might boost self-reliance, was to violate their civil liberties.

The War on Poverty, motivated by such toxic ideas, transformed welfare from temporary assistance into a lifelong stipend with few strings attached. As everyone knows, welfare rolls then skyrocketed, increasing 125 percent from 1965 to 1970 alone, and an entrenched generational underclass of poor families emerged. Typically, they lived in dysfunctional public housing projects—many of them built as another battle in the War—that radiated blight to surrounding neighborhoods. The federal government created a series of huge initiatives, from Medicaid and Head Start to food stamps and school lunch programs, that spent billions of dollars trying to fight urban poverty. And then, to attack the "root causes" of poverty (whatever they were), the feds spent billions more on local social-services agencies, which ran ill-defined programs with vague goals like "community

OLD THINKING

> "Officials and residents in urban communities are losing control of their cities to outside forces. . . . Cities are relatively powerless."
>
> —Edward M. Kaitz and Herbert Harvey Hyman, *Urban Planning for Social Welfare*



MATTHIAS KULKA/ZEFA/CORBIS

> "It is unfortunate that in the last 40 or 50 years in the United States we . . . view our cities as problems or objects of sympathy. . . . But you can't build a city on pity."
>
> —John Norquist, former mayor of Milwaukee

NEW THINKING

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empowerment" that did nothing to alleviate poverty.

Despite years of effort and gargantuan transfusions of money, the federal government lost its War on Poverty. "In 1968 . . . 13 percent of Americans were poor," wrote Charles Murray in his unstinting examination of antipoverty programs, *Losing Ground*. "Over the next 12 years, our expenditures on social welfare quadrupled. And in 1980, the percentage of poor Americans was—13 percent."

These programs did, however, produce a seismic shift in the way mayors viewed their cities—no longer as sources of dynamism and growth, as they had been for much of the nation's history, but instead as permanent, sickly wards of the federal government. In fact, as the problems of cities like Cleveland and New York festered and metastasized, mayors blamed the sickness on the federal government's failure to do even more. Norquist recalled a U.S. Conference of Mayors session held in the aftermath of the 1992 Los Angeles riots. "There was almost a feeling of glee among some mayors who attended: finally the federal government would realize it had to do something for cities."

Even as tin-cup urbanism prevailed, however, some mayors began arguing for a different approach, based on the belief that cities could master their own futures. The nineties became an era of fruitful urban-policy experimentation. For instance, well before the federal welfare reform of 1996, various cities and counties, most notably Giuliani's New York and Norquist's Milwaukee (encouraged strongly by Wisconsin governor Tommy Thompson), not only set limits on welfare eligibility for the programs that they administered for the feds but also pursued a "work-first" policy that got able-bodied welfare recipients back into the workplace as swiftly as possible. Welfare rolls plummeted—in New York City, from 1.1 million in the early nineties to about 465,000 by 2001—and childhood poverty numbers decreased.

State and local legislators, often prodded by inner-city parents, also sought new ways to provide urban minority kids with a decent education. In Milwaukee, a former welfare mother, enraged that her children had no option other than the terrible public schools, helped push a school-voucher bill through the Wisconsin state legislature, letting disadvantaged students use public money to attend private schools. Most states passed laws enabling private groups to set up charter schools unencumbered by many of the union-backed rules found in public school systems, such as restrictions on firing lousy teachers. Today, some 4,300 charter schools, many in big cities, educate 1.2 million kids nationally—and most are performing, studies show, better than nearby public schools.

The era's most impressive urban reform improved public safety. Under Giuliani and his first police commissioner, William Bratton, New York City famously embraced Broken Windows policing, in which cops enforced long-dormant laws against public disorder, fostering a new climate of respect for the right of all citizens to use public spaces. The nineties' NYPD also introduced computer technology that tracked and mapped shifting crime patterns, so that police could respond quickly whenever and wherever crime spiked upward, and new accountability measures to ensure that commanders followed through. Crime in New York has plummeted 70 percent since the implementation of these reforms—double the national decline. Other cities that have adopted similar policing methods, from Newark to East Orange, New Jersey, to Raleigh, North Carolina, have had big crime turnarounds, too (see "The NYPD Diaspora," Summer 2008). As Newark mayor Cory Booker, who tapped an NYPD veteran as police director, noted about crime-fighting: "There are models in America, right in New York City, that show that this is not an issue of *can* we, but *will* we."

Obama may claim to be advancing a twenty-first-century agenda, but his ideas about combating poverty and aiding cities ignore the lessons of the nineties' reformers and remain firmly mired in the War on Poverty's vision of cities as victims. Nothing betrays his urban agenda's retrograde nature more than its Number One spending item: a big hike in funding for the

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Community Development Block Grant program. The candidate calls this relic of the War on Poverty "an important program that provides housing and creating [*sic*] jobs for low- and moderate-income people and places." In fact, the block grants are perhaps the most visible example of the failure of federal urban aid, plagued, as so much other War on Poverty spending was plagued, by vague goals, a failure to demand concrete results from the groups it funds, and a reputation for political patronage. CDBG money, amounting to some $110 billion over its history, has financed many projects that have zilch to do with fighting poverty—an opera house, a zoo, tennis courts, and historical restorations, for instance. A stark example of the program's failure to achieve its ostensible mission: Buffalo, the city that has received the most community redevelopment funding per capita, is economically worse off today than it was 40 years ago.

Nevertheless, CDBG spending is often invoked as evidence that the federal government is "doing something" about urban problems. This was the case in 1993, when the Clinton administration authorized a massive $430 million block grant to establish a loan fund to help Los Angeles recover from the previous year's devastating riots, as well as millions more to ameliorate "the underlying causes of the unrest." Within two years, though, a third of the companies that the loan money had financed had gone belly-up or fallen behind in payments, while two-thirds hadn't fulfilled their obligations to create new jobs in the city. As for the money aimed at "underlying causes," local officials merely spent it on yet more ineffective community groups.

Obama doubtless will claim that he can fix this kind of urban aid to make it more accountable, but the obstacles are great. The Bush administration, for instance, sought to junk most of the program and focus what remained on narrow projects with specific, measurable antipoverty goals. But congressional CDBG backers on both sides of the aisle, who insert millions of dollars in earmarks into it each year, derailed the reform.

Though Obama has supported some education reforms, such as charter schools, his plan for fixing urban schools by showering more federal money on them is another attempt to revive tin-cup largesse. In his signature education speech, Obama described visiting a high school outside Chicago that "couldn't afford to keep teachers for a full day, so school let out at 1:30 every afternoon," adding that "stories like this can be found across America." Later, he said: "We cannot ask our teachers to perform the impossible, to teach poorly prepared children with inadequate resources."

In fact, the U.S. has made vast investments in its public schools. According to a study by Manhattan Institute scholar Jay Greene, per-student spending on K–12 public education in the U.S. rocketed from $2,345 in the mid-1950s to $8,745 in 2002 (both figures in 2002 dollars). Per-pupil spending in many cities is lavish. In New York, huge funding increases dating to the late 1990s have pushed per-pupil spending to $19,000; across the river in Newark, state and federal aid has boosted per-pupil expenditures to above $20,000; and Washington, D.C., now spends more than $22,000 a year per student. Yet these urban school systems have shown little or no improvement. "Schools are not inadequately funded—they would not perform substantially better if they had more money," Greene observes. An Organisation for Economic Co-operation and Development study found that most European countries spend between 55 percent and 70 percent of what the U.S. does per student, yet produce better educational outcomes. If some urban school systems are failing children, money has nothing to do with it.

Obama also promises to invest heavily in the human capital of cities, seeking to forge a smarter, better-trained urban workforce. Yet here, too, his solutions look backward. His key proposal to help the chronically unemployable find work is simply to reauthorize the Workforce Investment Act of 1998. But politically connected insiders run many of the WIA's job-training initiatives, and waste is widespread. One Government Accountability Office study found that only about 40 percent of the $2.4 billion that the WIA designates for retraining dislocated workers actually went to the workers themselves; administrative costs gobbled up the

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rest. Even the money that reaches workers does little obvious good. In congressional testimony last year, a GAO official said, "We have little information at a national level about what the workforce investment system under WIA achieves."

Another big-ticket, War on Poverty–style item on Obama's agenda is to give cities more federal money to build "affordable" housing. Yet even as mayors warn about a critical shortage of housing for the poor and the middle class, many simultaneously claim that they are hemorrhaging population because of competition from suburbs—and that should be lowering housing costs. Further, with foreclosures rising rapidly in some cities, cheap housing should be plentiful.

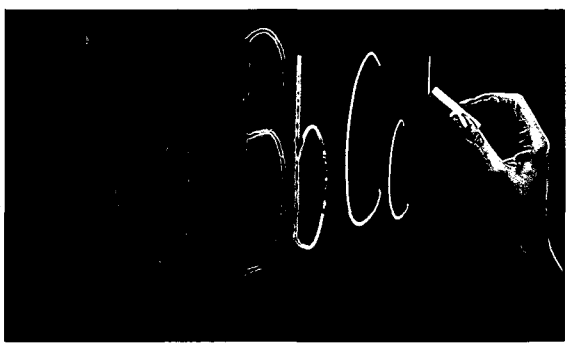
What explains this conundrum are the local policies that have helped make housing unaffordable. In a study called "The Planning Penalty," economist Randal O'Toole points out that half a century ago, when many cities were still gaining population, almost all of them boasted a healthy stock of affordable housing. Yet starting in the 1970s, cities began aggressively limiting and directing housing growth, enacting rules for minimum lot sizes and population density that produced significant cost increases for builders, who passed them on to consumers. In Trenton, New Jersey, O'Toole estimates that the city-imposed planning penalty adds $49,000, or 17 percent, to the median cost of a home in a city where the population has shrunk from 130,000 in the 1950s to 85,000 today. In nearby Newark, a city pockmarked with empty lots that has lost some 170,000 residents, the planning penalty is $154,000, adding 41 percent to median home value. In New York, where Mayor Michael Bloomberg has committed $7.5 billion to build 165,000 units of affordable housing over ten years, the additional costs heaped on by government planning reach a whopping $311,000 per home. There's zero evidence that Obama understands the planning penalty at the heart of the affordable-housing shortage in many cities.

Obama and the U.S. Conference of Mayors also call for an increase in HOPE VI funding as

OLD THINKING

"I visited a high school outside Chicago. The No. 1 concern I heard from those students was that the school district couldn't afford to keep teachers for a full day. . . . These kids wanted more school."

—Barack Obama, presidential candidate



JEFFREY COOLIDGE/GETTY IMAGES

"Few people realize that our education spending has been growing steadily. . . . Schools are not inadequately funded—they would not perform substantially better if they had more money. . . . The sooner people realize how the Money Myth is distorting their view of the school system, the sooner we can . . . make that system better."

—Jay P. Greene, *Education Myths*

NEW THINKING

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a way of getting welfare families to stop thinking of public housing as a permanent entitlement. The HOPE VI program, launched in the early nineties, got cities to replace large projects with smaller communities where the subsidized poor would live among those who could afford market-rate housing. The hope was that the bourgeois values of those earning their way in life would somehow rub off on the recipients of housing subsidies, and that they would then move up and out. But because the program imposed no actual requirements on the poor, the effort failed. Research has shown that in cities like Memphis, where the poor have been dispersed to middle-class neighborhoods, crime is rising.

Judging by these and other Obama initiatives, an urban-reform agenda based on the bottom-up successes of the 1990s still awaits its national advocate. It would start from the notion that cities can indeed be masters of their own futures. It would encourage city self-empowerment, not victimhood. Above all, it would urge municipalities to build on the stunning urban-policy successes of the 1990s.

The feds could still, however, play a useful role in several areas. One would be to help cities attack the chronic unemployment and lack of achievement among the urban poor, especially men recently released from prison with neither the schooling nor the workplace experience to find jobs. Nationwide, some 700,000 prisoners finish their sentences every year. Lots go back to their home cities, where, aimless and unemployed, they reconnect with their old partners in crime, resume lawbreaking, and wind up back behind bars. Getting these former prisoners working not only might keep some from returning to crime; it could create a panoply of other benefits, including allowing the many who are absentee fathers to begin supporting the children they left behind when they went to jail.

Around the nation, one can find pockets of innovation on "prisoner reentry," often based on the same responsibility-building principles as welfare reform. Some of the most successful programs endorse a "work-first" philosophy that gets ex-cons back into the workplace under heavy supervision and mentoring, rather than simply offering them job training. Promising demonstration projects have used local churches and community groups to run job-placement services, provide mentors to former prisoners, and then help them discover community resources. Federal funds could help expand such programs. And Washington could bring the most successful ones to the federal prison system itself, since starting prisoners on the right path before they get back on the streets clearly cuts recidivism.

The feds should also tie funds to local governments' willingness to reform their own institutions for reintegrating ex-cons. For instance, in many cities, former offenders trying to find work face a forbiddingly complex municipal bureaucracy. But some places, like Newark, are trying to sweep away the red tape and create one-stop reentry centers for ex-prisoners, similar to those that New York created to help former welfare recipients find and keep employment.

Given the spectacular crime declines in New York and other cities that have followed its policing example, one might think that public safety is an area that requires no further federal role. But even as crime has begun rising again over the last few years, many police departments have shunned the new policing. Too many police officials and politicians continue to argue instead that factors beyond their control—from economic deprivation to cultural changes to bad federal policy—are to blame for crime. *Governing* magazine reports, for example, that Cleveland mayor Frank Jackson remains "skeptical about the ability of the police to solve the problem of crime, which he sees as deeply rooted in economic deprivation." Jackson told the magazine that "we look to the law, to the police, almost like an army that keeps everyone in check. That's a dangerous proposition." But a recent series of stories in the magazine *Cleveland Scene* with titles like "The Killing Fields" reveals the consequences of such an attitude: a city under siege, with murders rising 56 percent from 2005 through 2007.

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The federal government can help advance performance-based police work by aiding departments in implementing NYPD-style policing, including purchasing the necessary technology for crime mapping. The city of East Orange, for instance, used state grants and criminal forfeiture money to pay for its $1.5 million technology upgrade. Federal grants would be contingent on departments' demonstrating that they are practicing active—not reactive—policing, using the same measurements that innovative departments now use to judge their officers' productivity, such as the number of directed patrols aimed at preventing crimes, suspicious-activity stops, and field interrogations per officer.

The deplorable state of many city school systems puts education reform high on the list of any twenty-first-century urban-reform agenda. Here, the federal government would provide incentives for states and municipalities to increase the education choices offered to students. Because many locales offer no public funding for building charter schools, for example, the feds might usefully help out. And Washington could tie federal education funding to requirements that states treat charter schools more equitably: in many states, charters get only a small portion of the per-pupil funding that regular schools receive. Federal education aid could also encourage states to lift their charter school caps. Today, roughly half the states limit the number of charter schools that they will authorize, one reason that about 365,000 students around the country remain on those schools' waiting lists.

The feds could also encourage schools to use curricula that work, especially to teach reading, since failing to learn to read in the early grades condemns many inner-city schoolchildren to fall permanently behind. The Bush administration admirably tried to prod school districts to adopt traditional, phonics-based programs, which are especially effective at educating minority students, the National Reading Panel concluded in 2000. But progressive educators who design curricula in local districts have continued to resist, favoring the ineffective but trendy "whole language" instruction touted by education schools (see "A Marshall Plan for Reading," Summer 2008).

As for increasing the amount of affordable housing, Washington could tie any housing aid to regulatory reforms that diminish or eliminate the construction caps and complex zoning requirements that drive up home prices. As Harvard economist Edward Glaeser has shown ("Houston, New York Has a Problem," Summer 2008), Houston and several other cities impose so few government costs on housing—a planning penalty of $0, O'Toole finds—that quality housing gets built and sold at far lower prices than in more heavily regulated cities. Though Houston's economy boomed and its population grew by nearly 1 million during the 1990s, the price of housing there has increased at only slightly more than the rate of inflation.

At the same time, the federal government should transform its policies on housing for the poor by employing the same philosophy that drove welfare reform, placing limits on tenure in public housing and requiring residents to work toward lifting themselves out of poverty. A few cities are, in fact, transforming public housing by ending the idea that everyone has a right to it and by imposing strict requirements on tenants. In the mid-nineties, Atlanta began demolishing its giant projects, which once housed some 50,000 poor residents, and replaced them with smaller mixed-income, mixed-use projects built with both federal money and large contributions from private developers, who own and manage the housing. What attracted the private money was the promise from Atlanta's housing authority that these projects would be different: to live in them, all tenants between 18 and 65 had to have jobs or be in school so that eventually they could graduate out of public housing entirely. Whereas in the mid-1990s, less than 20 percent of the residents in Atlanta public housing were working, today it's about 70 percent. Federal housing authorities could adopt this model and urge other cities to follow it.

Finally, everyone agrees that the nation's transportation infrastructure, including that of

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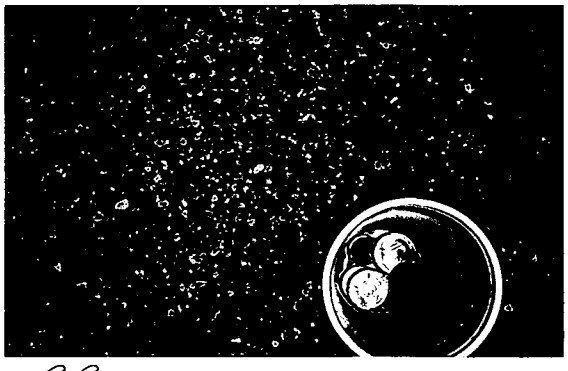
OLD THINKING

"The point too often missed is that President Lyndon Johnson's war on poverty in the 1960s, in many ways, worked. . . . Unfortunately, the nation's leaders over the last 40 years have practically ignored urban poverty."

—*Detroit Free-Press* editorial



GREGOR SCHUSTER/ZEFA/CORBIS

"In 1968 . . . 13 percent of Americans were poor. . . . Over the next 12 years, our expenditures on social welfare quadrupled. And in 1980, the percentage of poor Americans was —13 percent."

—Charles Murray, *Losing Ground*

NEW THINKING

its cities, is woefully inadequate for the twenty-first century. Both Obama and the U.S. Conference of Mayors—surprise!—blame the federal government for underinvesting in transportation infrastructure. But cities and states are equally at fault. Some have used past federal infrastructure grants simply to replace their own transportation money, which they've shifted to other, more politically popular uses: And cities have employed the tax-free municipal financing allowed by the federal tax code not to fund necessary improvements in transportation but to fund nonessential projects favored by politicians, like sports arenas and convention centers. Even when cities use this financing on transportation, it tends to be for big, expensive projects that rarely live up to ridership projections, like the massive $45 billion high-speed rail service that California pols have promoted to link Los Angeles and San Francisco—a service whose proponents, according to a Reason Foundation report, "wildly" overestimate potential ridership to justify the cost.

Boosting federal funding for such wasteful initiatives would only squander money. The federal government needs to reform its transportation priorities and push states and cities to do so, too, if we're to upgrade the nation's transportation infrastructure. That means rejecting dubious big-ticket projects and fashionable new modes of transportation, like light-rail systems, and spending federal funds on more sensible changes—helping cities to expand existing bus services, say, or to upgrade to cleaner vehicles. The federal government could also give cities incentives to build express toll roads that charge a premium for usage, alleviating congestion on free roads. And the feds should encourage local governments to use private contractors and private capital to build more of our public infrastructure, as countries ranging from France to the United Kingdom to China are now doing (see "The New Privatization," Summer 2007).

Obama's rise has put urban issues back into the presidential campaign for the first time in decades. But so far, the discussion that his candidacy has sparked is taking place largely among politicians, commentators, and interest groups whose view of cities hasn't moved on much from the War on Poverty. Implementing their policy ideas would simply expand the tin-cup urbanism that has kept so many cities in despair for so long. That's change we can do without. □

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Five Days at the End of the World

My visit to Afghanistan, and the War on Terror movie that Hollywood would never make

Andrew Klavan

I was standing at a military checkpoint outside Ali al-Saleem Air Base, about an hour from Kuwait City. I was hunkered in a three-walled cinderblock shelter with a canvas fluttering overhead. It was nearly 110 degrees. A dust storm was turning the daylight yellow-brown. I had sand in my teeth. I had grit in my eyelids. I was waiting for some Army media guy to cut my orders so I could get on base and catch a military transport to Afghanistan.

And I felt downcast, I confess. I felt bitter and a little self-righteous, too. I kept thinking how, right that minute, there was probably some other screenwriter sitting poolside at the Skybar in LA, pitching his new antiwar story to an eager producer: "Then, see, the GIs devour the Iraqi child's body to hide the evidence, and we finally understand the dehumanizing consequences of Bush's foreign policy. Forget box office! Think: prestige!"

I was on my way to Afghanistan because of the movies. Really. Movies like Brian De Palma's *Redacted*; *In the Valley of Elah*, written by Paul Haggis; and *Lions for Lambs*, starring Robert Redford—movies about the War on Terror in which our soldiers are portrayed as rapists or post-traumatic murderers or naive fools roped in by warmongering neocons. I went because of the movies that didn't get made, too—the movies that never get made—movies in which the heroic U.S. military defends our nation's principles of liberty against a low, violent, Islamofascist miscreed. I wrote about these films in *City Journal* (see "The Lost Art of War," Winter 2008) and in the *Los Angeles Times*. I attacked Hollywood for wallowing in outmoded European ideologies and for resurrecting imagery left over from movies about Vietnam.

Then, after a while, I started to ask myself, "Hey, wait a minute. How do you know what a movie about the War on Terror should look like? What would *your* movie look like, big mouth? What kind of story would *you* tell?"

My articles had attracted the attention of a Civil Affairs officer in the Army reserves, 46-year-old Major Rory Aylward. A tall, bespectacled man with mildly sardonic features, he was nicknamed Hawkeye because he looked a bit like, and talked exactly like, Alan Alda's snarky

Storyboards by Brian Williamson

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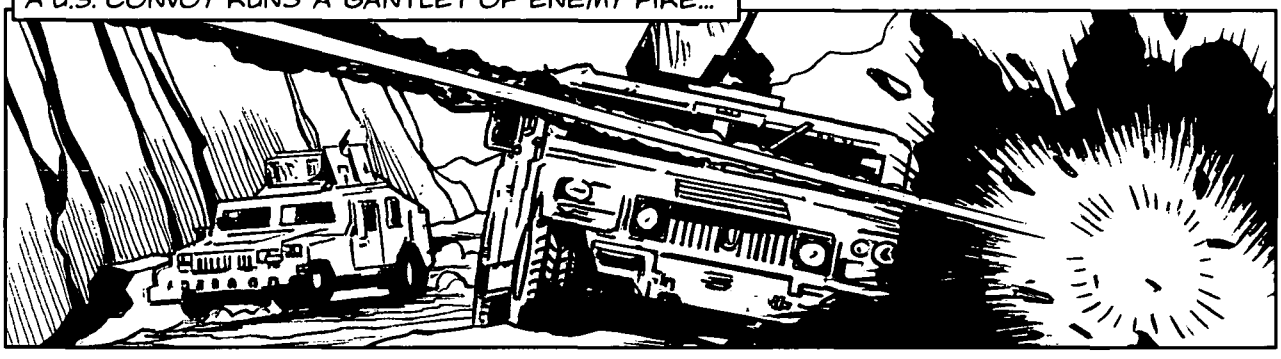
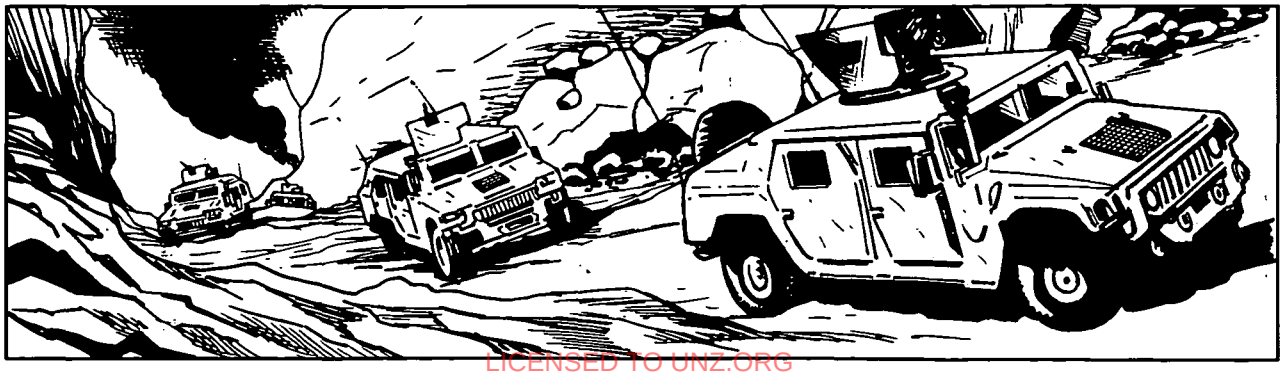
A U.S. CONVOY RUNS A GANTLET OF ENEMY FIRE...



...AND ARMY GUNNERS FIRE BACK FROM THEIR HUMVEES.



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Hawkeye Pierce from the television version of *M*A*S*H*. He was an unlikely mix of military and showbiz, a lifelong reservist but also a technical and creative advisor on military-themed movies like *Courage Under Fire* and Hallmark TV's *Silent Night*. He was eligible for retirement but had volunteered instead to join a unit heading for Afghanistan. When I told him what I was thinking, he invited me to visit him there. First I would join his unit for battle training at Fort Bragg, North Carolina (see "Braggistan in the America of the Imagination," Summer 2008). Then I would be embedded with it for a couple of weeks in Nuristan, one of Afghanistan's least developed provinces.

Now, there's one thing I know for sure I'd try to put into a War on Terror movie, one thing I found out the moment I got through the Kuwaiti checkpoint and onto the air base: even at its best, military life in these parts is damned uncomfortable. The whole atmosphere of the place was depressing: the endless brown desert of tents and huts, the unsmiling bureaucrats demanding such-and-such an order bearing such-and-such a stamp, the latrines dense with disinfectant and pornographic graffiti, and the sleeping quarters with up to 12 men snoring and farting on the bare mattresses of bunk beds, their boots on, their packs for pillows. To be sure, there were a McDonald's hut, a Subway, and a Morale, Welfare, and Recreation tent where you could watch *The Texas Chainsaw Massacre 2* followed directly by *Good Luck Chuck*. But after two days stuck here on the bureaucratic treadmill, I was more than ready to hire a limo to drive me back to LA.

In my movie, the lead won't have to get shot at to be a hero. Dude'll get a medal just for showing up.

Oh, and by the way, I had no plans to get shot at. When Rory first arrived at Forward Operating Base (FOB) Kalagush in the Nuristan wilds, he e-mailed me, "I'm more likely to get hit by a bus in Santa Monica than get killed over here." ("Well, then, stay the hell out of Santa Monica," I e-mailed back.) Rory was a Civil Affairs and Rule of Law officer of a PRT (Provincial Reconstruction Team). Its job was to oversee funding and construction of roads, electric plants, irrigation systems, and other projects in places where civilian agencies can't safely go. That's another thing that ought to be in a real movie about our soldiers: most of their time in theater is spent in the slow, frustrating, Sisyphean work of establishing goodwill, a viable government, and the rule of law so that the murderous bastards they chased out don't come back.

Which is what made it kind of a nasty shock when—as I was finally waiting to board a C-17 for Bagram Air Base—my iPhone lit up with an e-mail from Rory, telling me that he and his guys had just been ambushed.

Rory and his men had set out from FOB Kalagush at about 9 AM in six Humvees, carrying five men each. They positioned two of the Humvees along the way to stand watch and serve as a radio relay. The remaining four vehicles traveled on to the Pashagar Valley. Their mission was to do a quality-control inspection on a road being built by a suspect contractor and to see if it was possible to add a footbridge across the valley. Rory was the mission commander, but Lieutenant Brandon Baronner, as the platoon leader of the team's Security Force (SECFOR), was in charge of the convoy.

At 25, Baronner was an intense, po-faced guy with a surprisingly goofy sense of humor. Though he was a longtime Pennsylvania National Guardsman, this was his first deployment in a war zone, and some people—maybe even Baronner himself—wondered if he was in over his head. There was no doubt that he was relying—that everyone was relying—on the battle wisdom of First Sergeant Willie Mitchell, the team's 38-year-old top sergeant. A veteran of Bosnia, Kosovo, and Iraq, Mitchell was pretty much everything you could ask for in an American warrior, a powerfully built man whose quiet, watchful expression would make a good recruitment poster. His job was to make sure all these road-building reservists and

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guardsmen didn't get themselves killed. It was a job that occupied his mind every hour he was awake, which sometimes seemed like all 24.

At the end of a winding dirt road, the team dismounted from their Humvees and surveyed the rocky valley. "Afghanistan's in the thirteenth century, but this place was Paleozoic," Rory told me later. "If a T. rex walked out from behind a hill and growled at us, it wouldn't've fazed me at all." They were there for about ten minutes when SECFOR Staff Sergeant Dwayne Koons spotted "dismounts"—Afghans on foot—watching them from some nearby rocks. Rory shrugged it off: "Watching Americans is like the Afghan national pastime." But these guys bugged Koons and they bugged Mitchell, too. "It sparked our spider senses," Mitchell said. Koons told Rory, "We have to go right now."

"The thump of mortars and the sizzling white smoke of RPGs came at the convoy from the cliffs and the open gorge."

The team was expecting air support on the way back because, as Mitchell told me, "the enemy is known to hit you on the exfil"—to attack a mission as it heads for home. But when they returned to their Humvees, the men received a message: the support choppers weren't coming. Their sense of foreboding grew.

They headed back along the winding dirt road. A wall of mountains rose to the left of them. A sheer drop-off fell away to the right. Mitchell and Rory were in the second vehicle, separated from the lead Humvee by about 20 meters. They heard the first explosion go off right behind them.

"The cry went out over the radio," Mitchell said, "'*We're taking fire!*'"

Rory couldn't believe it. They'd been in theater 61 days without enemy contact. Even when the gunners on the Humvees opened fire, he thought that someone must have panicked and made a mistake. Then he looked out the windshield and saw what looked like a model rocket fly right at the Humvee up ahead. It struck beneath the right rear wheel and exploded. That convinced him: they were under attack.

What followed, he said, was like a chase scene from one of those 1930s movie serials that used to play before the main feature. The thump of mortars, the rattle of machine-gun fire, and the sizzling white smoke of RPGs came at the convoy from both the cliffs and the open gorge. As the gunners in the vehicles fired back, trying to pin the bad guys down, the drivers pushed through at speed, fighting to maneuver the sharp turns while keeping the Humvees from going over the side.

In the rear car, Specialist Nathan McMullen, a big Pennsylvania country boy, was in the turret, manning the .50 caliber. Almost as soon as the attack started, he heard "a big *ting*." A bullet had slammed into his gun-shield, an inch away from him. Quickly, he ducked down into the car. His comrades scrambled over him, searching his body for wounds. There were none. His heart was still pounding as they helped him back up into the turret. Listening to the shouted directions in his headset, McMullen followed the RPGs' smoke trails until he spotted three bad guys. Then he opened fire, laying down lead so quickly that even the "terp"—the native interpreter—in the Humvee had to help tear open ammo boxes and hand up fresh rounds.

The young Lieutenant Baronner was in the same Humvee. At his first taste of battle, he had felt an adrenaline rush go through him. But now, with McMullen firing away above him, he made the great discovery: he could do this, he was relatively calm. His radio had gone dead. At first, he thought the antenna had been shot off—but no, McMullen's butt had hit the switch when he dropped. Baronner got the radio going again. Immediately, a shout came over the air, "We're hit!"

Instinctively, the driver started to slow the Humvee. It was a natural reaction, but under the circumstances it would have gotten them all killed. Baronner shouted the order: "Push through!" and the Humvee sped up again.

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"It was a good kill zone," said Mitchell. "It seemed like it went on forever." In fact, according to the official reports, they were through the worst of the gantlet in two to five minutes. By the narrowest of margins, everyone got out safely.

What the hell happened to 'I'm more likely to get hit by a bus in Santa Monica?' " I shouted at Rory over the phone.

"I *am* more likely to get hit by a bus in Santa Monica," he answered in perfect Hawkeye fashion. "Unfortunately, I'm more likely to get hit by a rocket in Afghanistan."

By this time, for my sins, I was in Jalalabad, detoured to yet another broiling airfield between Bagram and Kalagush by yet another Army media guy. All in all, it was seven days of wearying travel—commercial jets, cargo planes, and choppers—before I was finally able to join the PRT. The choppers were the best, cinematography-wise. You get a good look at the country from a Chinook. Huge, fluid, colorless rock formations like the petrified remains of mythical beasts; goatherds chasing their flocks over desert plains; roadless wilderness in conifer-covered hills. In the stark, narrow mountain passes, the door gunners open fire to stave off any ambush. Over some of the broad green river valleys, the pilot fires chaff to misdirect any heat-seeking missiles. Mostly, though, there are just long stretches of sandy flatlands in which you see what look like archaeological digs but are, in fact, living villages that could have been there since the time of Christ. It's poignantly easy to imagine Jesus walking the fallen world below while the United States Air Force patrols it from above.

My Chinook landed at FOB Kalagush only long enough to let some of the PRT and its SECFOR troops climb aboard. Then we lifted off again for a mission to the provincial capital of Parun. As we rose into the Hindu Kush, the air grew thin and the chopper's ascent became groaningly slow. There was nothing out the window here but naked, forbidding peaks. We crested these and descended into a valley out of a Wordsworth poem, its roaring river surrounded by green foothills.

This is the former Kafiristan—"the land of the infidels"—where Kipling's *The Man Who Would Be King* took place. It's just over 100 years since the Muslims conquered it and turned it into Nuristan—"the land of the enlightened." There are few roads here, little electricity and running water, and no landline phones. It's a world of tribes and tribal feuds where natives live in such isolation that some still mistake U.S. troops for the Soviet invaders of 20 years ago.

As the chopper settled on the ground, the rotor-wash sucked the river water into turbulent arcs of spray. The next moment, the soldiers were tramping down the rear ramp onto the muddy banks, spreading out in a semicircular security perimeter, M4s at the ready. I was standing behind them when Commander George Perez, the PRT's leader, disembarked and approached me. "Welcome to Afghanistan!" he shouted over the rotors.

"It's the end of the world!" I shouted back—which was not exactly what I meant.

Or maybe it was. This so-called provincial capital was largely a figment of the Afghan government's imagination. As we carried our packs along the lone mud road, we came upon the "town": a collection of half-finished ramshackle buildings and wooden huts with idling native workers staring balefully from the porches. Rory, who had a habit of echoing my unspoken showbiz thoughts aloud, muttered to me, "Deadwood," just as I was thinking, "Tombstone."

Corruption's the problem here. It's endemic. Money—a lot of it our money—gets passed from contractor to contractor, with each one taking a taste until there's little left for the actual work. Witness the police compound where we stayed, a three-sided rectangle of one-story barracks made of corrugated tin and concrete. Two hundred fifty grand was allocated for this dump—a quarter mil! By the time that money was passed from cousin to brother to friend and handed down to the contractor who finally slapped the structure up, there was only $40,000 left. The compound was built so shoddily that one side of it had collapsed under last winter's snows and now

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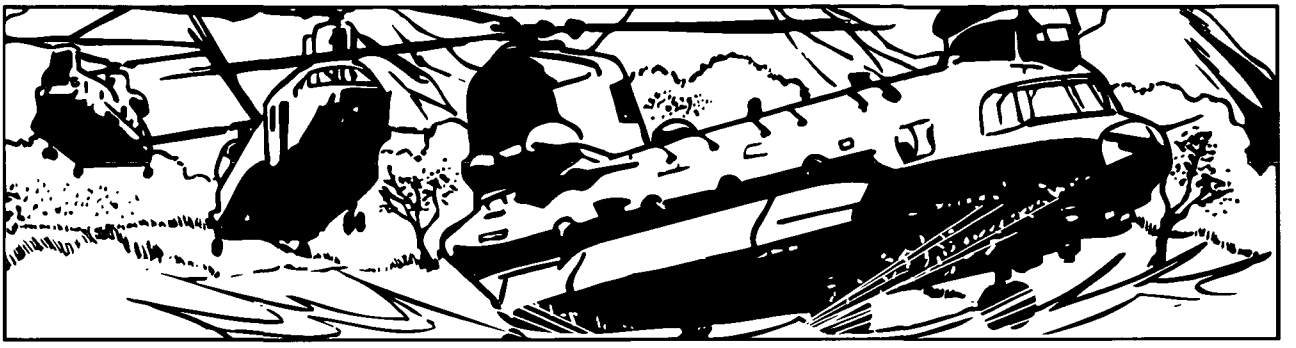

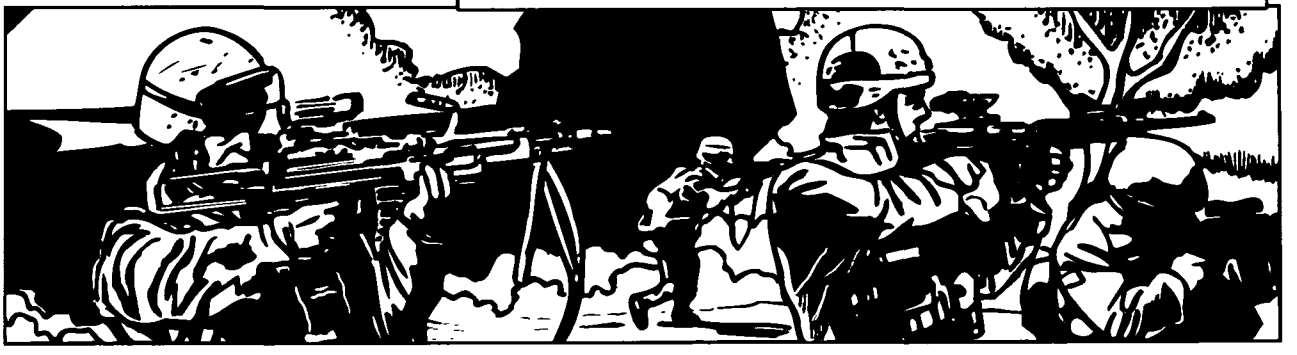

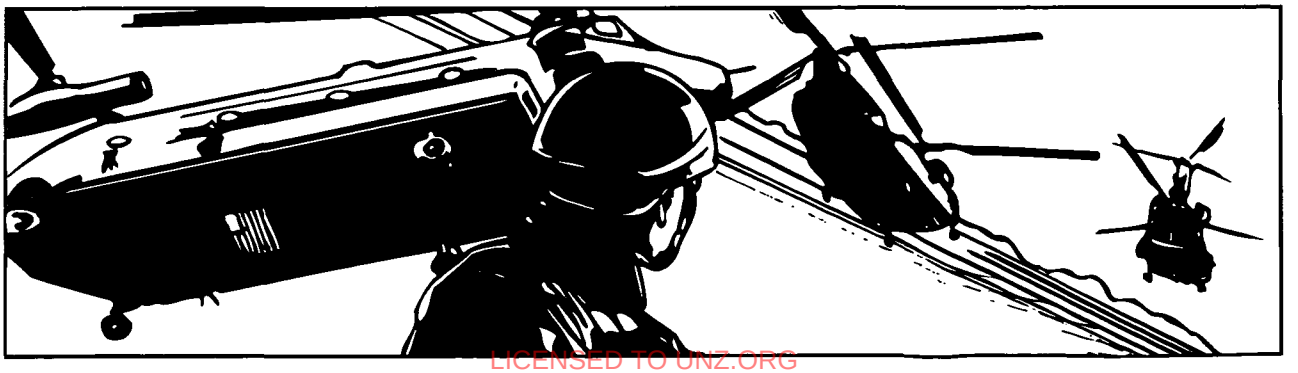

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lay in a tangle of lumber and tin. There was no running water, no electricity but what a portable generator provided. The toilets were Turkish-style—position your feet and squat over the hole—and equipped with what they call "John Wayne toilet paper" because it's rough and tough and don't take shit off nobody. We slept in the bare barracks shoulder-to-shoulder on the concrete floor or on mattresses bought from the locals at extortionate prices.

Plus, the place was surrounded with wooded hills, perfect for snipers. Mitchell sent some guys up the steep slopes to check out the area, but I had to ask him how on earth he could possibly defend such a wide open place on such low ground. Deadpan, he told me: "If the Taliban attacks, we'd rely on American might and will to send them to their untimely demise."

"So basically, it's indefensible."

"Completely."

So what the hell were we doing here? The main mission was to break ground on a new FOB site. Moving the PRT close to the provincial government would make overseeing new projects much easier. The trouble was, the chosen site was owned by a little nearby village called Pashki. Four months ago, the Pashki elders had agreed to sell the land to the Afghan Ministry of Defense. Now, though, they were worried that the U.S. presence would attract attacks from the Taliban. A *shura*—a decisive meeting—between Perez and the elders was scheduled. At the same time, U.S. engineers were already working on the new site with Mitchell and some SECFOR guys standing guard.

It would be hard to capture the atmosphere of one of these *shuras* in a film. Their dramatic formal exchanges between soldiers of civilization and warriors of the outlands seem like something out of Tacitus, giving the scene an unnerving aura of imperial romance.

Perez himself was a man of Roman bearing: a smart, plainspoken former submariner; a natural leader. He was on his way to D.C. to accept a prestigious fellowship from the RAND Corporation when he was informed that, no, he was headed for Afghanistan instead. Now he found himself facing the unremitting problems of bringing technology and the rule of law to this intractably backward wilderness.

The elders assembled around a long table in the courtyard of the governor's residence as police guards moved among us like waiters, handing round cups of tea and plates of almonds, raisins, and pistachios. The elders were canny, tough, largely illiterate men wearing wool vests and round Chitrali caps. Their weather-beaten, half-toothless faces were garnished with a decorative assortment of beards, some with the flaming red hair that once made Western observers believe Nuristanis to be descendants of Alexander the Great. Some of them fiddled with prayer beads as they rose to speak. Some spoke with fiery, white-eyed passion.

"We fought the Soviets because they had no God, they believed in nothing," they said, as the terp translated. "They were your enemies, and they were our enemies. We respect you, especially Christians, because we have the same God. We know you're here to help and we need your help because we are poor. The fighting of the mujahideen destroyed everything. Day by day, since you came, our lives have gotten better. But if you move your base here, the enemy will attack us. Stay far away. Stay in Kalagush. Send us your help from there."

In the movie now, you'd cut to the FOB site about half a mile away—because there, suddenly, a mob of about 50 villagers stormed down the road and descended on our engineers. They were waving sticks and shouting, "Get out! We would rather die than have you dig on our land!" The Afghan police tried to hold them back, but the mob surged forward. It was up to Mitchell to make a nasty choice: retreat ignominiously or risk killing civilians.

Cut back to the governor's residence. Rory passed news of the mob attack to Perez in a hastily scribbled note. As Perez glanced at it, he answered the elders with stately impromptu eloquence: "The people at this table right here at this time have the ability to impact all of Nuristan. Everyone will know that the Pashki people made a sacrifice for the greater good of the province. And yes, the enemy may come, but if they come, we'll be ready for them."

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Cut back to the FOB site. The angry mob continued shouting and waving sticks. Mitchell faced off with them, protecting the engineers. But no, he wasn't going to let anyone get hurt. He and his SECFOR men retreated, taking the engineers with them, avoiding civilian casualties.

Cut back to the governor's residence. Perez quietly confronted the elders. "While we're talking here, your villagers are threatening my engineers. Do you have control of your own people?"

Caught out, the elders responded with wild offers: "Let us give you a different piece of land. We'll take you to the other side of the valley, and you can take any piece of land you want for free!"

All this while, dark clouds had been rolling in over the mountains. Now, cold rain began to lash the courtyard. Even though the Afghan Ministry of Defense had given him a legal lease to the FOB site, Perez nonetheless agreed to return tomorrow to look at another site on the other side of the valley. "If we were the conquering army some people say we are," he told me wearily, "this would be a lot easier."

The nights and mornings in the compound were peaceful and companionable. We watched the moon rise over the Hindu Kush. We heard the muezzin greet sunrise and sunset with a call to prayer from the tin-roofed mosque next door. The SECFOR guys broke up the lumber from the collapsed section of the barracks and built a bonfire in the courtyard against the mountain cold. There was talking and joking around the fire.

They talked about the state of the struggle. Some said Afghanistan was the Forgotten War, deserted by media that reported trouble but never progress. Some worried that Americans would lose interest and let the mission fail. Some felt the Iraq War had left Afghanistan underfunded and undermanned. There were rueful jokes about the grinding frustrations of counterinsurgency. "In Iraq, they'd spend millions to kill one insurgent, but the only humanitarian aid you could find was what you could steal," said the battle-hardened Sergeant Ray Hartman. "Here it's all human aid, but you can't kill anyone. I'm working outside my skill set!"

They talked about Islam, especially about the sequestering of women. They said it forced the native men into prisonlike expedients. On night patrols, they said, they would bump into Afghans hooking up with animals. And they joked about "Man-Love Thursday," when they'd spot Afghan men and boys together, grabbing a quick sin before the redemptive Sabbath.

"This is a force of professional warriors, every single one of whom enlisted or reenlisted after September 11."

They kidded one another endlessly. Rory caught some flak one morning about his affection for movie musicals. Hartman said he couldn't stand the things because "people keep breaking into song in them." Baronner clumsily mimicked some of the dance-fights from *West Side Story*. He had changed since the ambush, a few people told me. He'd grown into his rank and become a well-liked leader. When he started dancing, Mitchell cracked the soldiers up by grumbling, "Lieutenant, I must ask you never to do that again. Truly. I beg of you."

So where are the dupes, the abusers, the kill-crazy crackpots who populate the armed forces in Hollywood's ideology-driven depictions of the War on Terror? There are some somewhere, I'm sure. A small city's worth of Americans are deployed in Afghanistan and Iraq. Some are bound to go bad. But to tell only their stories amounts to a despicable slander-by-omission. *These* guys are the real guys. That Vietnam-era army of rueful, ill-educated draftees caught up in a conflict that they can't comprehend is gone. This is a force of professional warriors, every single one of whom enlisted or reenlisted after 9/11, fully aware of what he

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was signing up for. Each has his complaints about the military, the war, and American foreign policy—who wouldn't? But I met none who doubted that they were the spearhead of a force for good, a nation striving to do what was right in the world.

Once again, Rory spoke my showbiz thought: You could watch the most sentimental patriotic war film from the forties or fifties, he said, and get a more accurate picture of who these soldiers are than you get from more "realistic" Hollywood movies today.

For the next two days, negotiating with the Pashki elders over a possible new FOB site, Perez was a model of restraint, flexibility, and command. The first day, the villagers tried to lead the soldiers as far away as possible. They kept saying, "The land we want to offer you is just around the next corner, just over the next rise." In their loose smocks and trousers, they scrambled over the rocks and ledges like goats. The soldiers, in their heavy "battle rattle"—packs, vests, helmets, and weaponry—tramped wearily behind on the muddy road. The ever-worried Mitchell continually sent his SECFOR men ahead to scan the wooded foothills to the left and the green valley spreading to the right. I could practically see the ambush scenarios unfolding in his mind.

Finally, Perez had had enough. He stopped the farcical parade and demanded to see the proposed site. Seemingly at random, the elders pointed over the river to a beautiful stretch of valley, where goats grazed before two or three rude cottages of sticks and stones.

The next day, we came back and crossed the river to see the place. Which was no easy business. The water roared beneath us, and the crossing was a balancing act over flimsy, narrow footbridges. In battle rattle again, we climbed steep, rocky slopes and mounted the roof of a shepherd's hut to view the site from above. Then the commander sat down with the villagers in the goatshit-littered mud. They argued over boundaries and prices as the cold, spitting rains swept in over the mountains again. All the while, Perez held the lease to the original site, the land he wanted, but he never used it. If there was a way to work this out and keep the villagers' goodwill, he was determined to find it.

The negotiations went on. I could see the SECFOR guys getting more and more nervous. They scanned the hills and muttered to one another, "We gotta go."

With the PRT frustrated and the issue unresolved, we left Parun a day early. There was no point in staying, and every day "outside the wire" was more dangerous than the last. The Chinooks came for us down by the river. We gripped our pack straps and bowed our heads and pushed hard up the ramp against the searing rotor backwash.

Then we were up and groaning through the thin air again, over the mountains, and back toward FOB Kalagush. There, in a cluster of huts and tents nestled among stark, gray, featureless hills, the work of the PRT continued. Rory and his colleagues hunched over laptops in a messy room they called the Bullpen, shepherding the funding for projects through the massive military bureaucracy. Provincial officials, Afghan policemen and soldiers, elders, and mullahs all arrived at the base for *shuras*, trying to get money for an electric plant or work for a favored contractor or cargo space on a chopper. "It's like Hollywood," Rory said dryly. "Everyone's got a project."

At every *shura*, the PRT leaders pressured the locals to turn in the men who ambushed them in the Pashagar Valley. "When are you gonna arrest the guys who shot at me?" Rory asked the local police chief at one sit-down. "I came here to build bridges, not to get shot at." The chief answered with vague promises of an investigation.

But meanwhile, according to U.S. intelligence officers in the valley where the attack took place, Taliban propagandists were hard at work, trying to turn the people against the PRT. They were spreading the tale that several PRT members had kidnapped and raped some local women and that the ambush had been the Taliban's attempt to rescue the victims from our military's evil clutches.

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Rory looked absolutely stricken when he heard what they were saying about him and his men. I made a lame attempt to kid him out of it. "Listen, this is great for your Hollywood career," I told him. "Now Brian De Palma will make a movie about you."

But of course, if you've seen De Palma's hate-filled *Redacted*—or any of these movies and the news coverage they echo—the joke wasn't funny at all.

Here, then, is the movie I would make. It would be something like this, anyway. With maybe Ed Norton as Rory—Alda's too old now. And Dennis Haysbert, President Palmer from *24*, as Mitchell. Someone fresh like Jim Sturgess for Baronner. Perez? George Clooney doesn't deserve to play him, but he could.

I would probably make the mission to build the bridge and the mission to buy the FOB site into one mission. A bridge is more visual, but the tensions with the natives over the site make good drama. I'd have the ambush happen at the end of the first act, with a likable gunner getting killed. Then maybe our guys wouldn't be able to return to base because of the weather. They'd be stuck up in nowhere with some locals they couldn't trust and the bad guys still in the woods. It would become a matter of life and death whether the PRT guys could count on the goodwill of the natives in order to smoke out the bad guys before getting smoked themselves.

That would be the theme, see: the frustrations of building goodwill in wartime. Because goodwill is the key to this multifront counterinsurgency. It's the only way to win the locals away from the brutal scum who've enslaved them in the past and over to some semblance of liberty and the rule of law. That's why Information Operations—what they used to call propaganda—is so important. That's why the bad guys work so hard to spread lies about us.

And *that's* why Hollywood should maybe try not to help them.

Leftist movies portraying our troops as reprobates and fools may not make it to the wilds of Nuristan. But you can bet they make it to the headquarters of our enemies and give them encouragement, not to mention ideas. They make our soldiers' mission harder and increase the danger to their lives. And here's a funny thing some people in LA may not understand about those lives: they're real. Commander Perez and Rory and First Sergeant Mitchell and all the rest—they're not characters played by actors. They're real Americans who left real parents and wives and children at home and opted to fight our enemies in dangerous places far away. I don't think De Palma and Robert Redford and Paul Haggis are bad men. They're certainly entitled to *believe* what they want. But when they make these movies during wartime, when they endanger these soldiers and their mission, I think they're *doing* something bad—something wicked, really. They are aiding and abetting the enemy's Information Operations. And they ought to stop.

After five days in Nuristan, I began the trek home. A circuitous six-hour chopper ride returned me to Bagram, where I waited days to catch a C-17 back to Kuwait.

Bagram's an enormous base, a slapdash city of thousands. I stayed there in a spartan but private cubicle in the "Hotel California," the hut for journalists. I was lying on my cot one night when I heard an announcement over the loudspeakers outside: at midnight, there would be a Fallen Comrade Ceremony to honor a soldier recently killed in theater.

I wandered out into the muggy darkness and saw a ghostly sight. Soldiers wearing yellow-green reflector straps over their uniforms drifted out of the misty darkness from every direction. They began to line up beside the main road. Soon, they were standing along the curb as far as the eye could see.

At midnight, a Humvee pulled out of a driveway across the street. It carried a flag-draped coffin bound for transport home. Flanked by two trucks, it began its journey across the airfield. The soldiers saluted. I put my hand over my heart. The Humvee passed slowly by.

When it was gone, the soldiers silently dispersed, the glowing green stripes of their reflectors fading, and finally vanishing, into the mist. ■

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Bioterrorism's Deadly Math

Despite billions spent, we're not yet ready for a big attack.

Judith Miller

The White House wanted to know: How much safer are Americans today than they were on October 4, 2001? That was the day when a photo editor in Florida became the first reported case of inhalation anthrax in America in decades. In what became biology's 9/11, five letters containing less than a quarter-ounce of anthrax total—the equivalent of two pats of butter—killed five people, infected 17, put more than 20,000 on antibiotics, and traumatized thousands more. Decontamination alone, including at the Hart Senate Office Building in Washington, took over three years and cost some $200 million.

With these disturbing facts in mind, and keenly aware that al-Qaida and other terrorist groups have sought germ weapons, the White House in 2006 quietly directed the Department of Homeland Security to commission studies from teams of researchers on what Americans had received for the billions of dollars spent on preparing for a bioterrorist attack since 2001. Taken together, the papers—whose contents remain secret and whose authors have been asked by the DHS not to discuss them—constitute what officials call the first "net assessment" to focus exclusively on the issue. Though many of the papers were delivered to the DHS months ago, the net assessment remains unfinished and is likely to be handed over to the next administration, officials say. Still, its thrust is that while the estimated $50 billion spent since 2001 on countering bioterrorism has left us far better prepared for a bioterrorist attack, we remain vulnerable and, in some ways, may even be losing ground.

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President Bush himself is said to have privately expressed frustration with the pace of biosecurity progress. At a meeting with cabinet members and other senior biodefense officials in the White House situation room on June 30, the president was briefed on yet another internal review of the administration's biodefense effort. After hearing that his agencies were unlikely to complete most of their 56 assigned tasks by the end of his term in office, says one official who was told about the meeting, Bush echoed the old Nike ad, in a display of irritated determination: "Just do it!"

Officials and independent analysts agree that much has been done to prepare for an attack and mitigate its consequences. One of the most important advances is the least quantifiable. "We understand the problem far better than we did before the anthrax mailings," says Kenneth Bernard, a former White House biodefense advisor in both the Clinton and Bush administrations. "We now see the risks and our vulnerabilities far more clearly and have spent billions addressing them." Scientists know much more today than they did seven years ago about the importance of timely detection in any suspicious outbreak of disease, for example, and about the difficulty of delivering drugs and vaccines quickly and cheaply to affected populations.

They also know more about the genomic structure of pathogens. Federally funded research has vastly improved scientific understanding of many entries in the government's list of some 70 "select agents," the world's most contagious or lethal bacteria and viruses. Between 2001 and 2008, research funding by the National Institutes of Health on bioweapons agents increased from $53 million to $1.6 billion. At the same time, the Pentagon more than doubled its investment in biodefense research, to over $1 billion.

Bioforensics, too, has seen great advances. Using techniques that hadn't even been invented when the anthrax letters arrived in 2001, for instance, scientists working with the FBI's "Amerithrax" investigation broke ground in microbial forensics, decoding the anthrax genome to trace the powder used in the letters to a flask labeled RMR-1029 that was stored at the Army Medical Institute of Infectious Diseases, the military's main biodefense lab, in Fort Detrick, Maryland.

Another source of pride is the Strategic National Stockpile, a repository of drugs and antibiotics stored at sites throughout the country that can be sent to any city within 12 hours. Launched nearly a decade ago under the Clinton administration, the stockpile now contains enough antibiotics to treat more than 40 million Americans who might be exposed to anthrax, as well as other vaccines and drugs to combat a wide range of illnesses.

One of these, smallpox, used to be a major concern. The World Health Organization had declared the disease eradicated in 1980, but scientists have long suspected that countries or labs might be hiding samples of the deadly virus that could fall into terrorist hands. But the Strategic National Stockpile has virtually removed the disease from the list of America's bioterrorism concerns, according to James W. LeDuc, associate director of the University of Texas's Galveston National Laboratory. The number of smallpox-vaccine doses in the stockpile has increased from 90,000 before 9/11 to 300 million today. "In the event of a smallpox outbreak today, we would have access to enough vaccine for every American," LeDuc says. "It cost close to $1 billion, but it is a tremendous insurance policy."

Yet another advance is the crown jewel of the Department of Homeland Security's biodefense effort: a vast research complex at Fort Detrick, an hour's drive from the capital, centered on the new National Biodefense Analysis and Countermeasures Center. The NBACC already operates in temporary offices; its state-of-the-art, $150 million, 160,000-square-foot headquarters is scheduled to be completed by March 2009. It will contain a large Biosafety Level 4 (BSL-4) laboratory, authorized to work on the world's most dangerous

The death cult Aum Shinrikyo, which used sarin gas to horrific effect in the Tokyo subway system in 1995, had also sought to weaponize anthrax.

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germs, such as Ebola and Marburg, for which neither vaccines nor cures yet exist. Its 150 scientists will characterize existing biological threats—the bulk of its research—identify future sources of potential vulnerability, and conduct the kind of bioforensic research that was used in Amerithrax in the event of future bioterrorist attacks.

The agency's original plan was to operate the NBACC mostly in secret by classifying the entire center as a Sensitive Compartmented Information Facility (SCIF, pronounced "skiff")—a place where top-secret information and materials could be stored and discussed. But the NBACC's new director, J. Patrick Fitch, says that he intends to operate the lab with the greatest possible transparency. "Eighty percent of our projects and their results will be unclassified, and we will encourage our scientists to publish," he says. While his facility would be "SCIFable" in an emergency, he intends to encourage as much interaction as possible between NBACC scientists and their American and foreign counterparts. "In such a fast-moving area," he explains, "it's self-defeating to isolate yourself."

Fitch also denies reports that the lab plans to invent new superbugs just to see if it can be done. "Our research must be grounded in indications of a real threat and in science," he says. And in another course correction, Fitch has appointed a panel of seven independent scientists to review the lab's work three times a year to ensure that its research is not only safe, but in compliance with the 1972 international treaty banning the acquisition, production, and development of germ weapons for anything other than defensive purposes. The panel has allayed some of the concerns of Tara O'Toole, director of the University of Pittsburgh's Center for Biosecurity, formerly a forceful critic of the lab and now a panel member. Fitch has made "earnest efforts to be responsible and transparent and must continue on this path," says O'Toole.

Taken together, all these achievements have dramatically altered the biodefense landscape since the anthrax letter attacks, many analysts agree. "I don't think there's any doubt that we are safer today than we were seven years ago," said Michael Chertoff, the secretary of the Department of Homeland Security, at a forum on September 10, though he also warned Americans against complacency. "Getting the ship of state to move 10 degrees to port is a big deal," says Bernard. "You can always show how it might have been done better. But this has been tantamount to putting a man on the moon"—an exercise in "imperfect incrementalism," as one administration official calls it. "I really don't think we went down any major wrong roads," Bernard ventures. "The perfect is inevitably the enemy of the good."

But many experts believe that the government has taken detours from the highway to better biosecurity. Some even question what had looked like unqualified successes. Consider the Amerithrax investigation. The impressive scientific achievement that enabled the FBI to trace the anthrax in the letters back to the RMR-1029 flask has been largely overshadowed by allegations that the bureau once again rushed to judgment in blaming Bruce E. Ivins, one of more than 100 researchers at the Army's biodefense lab who had access to the flask. Ivins committed suicide before he could be indicted.

According to several analysts who attended the bureau's classified briefings on its investigation, the case is based largely on the kind of circumstantial information that led the FBI to finger Steven J. Hatfill as the likely culprit five years ago, and would have been unlikely to hold up in court. Hatfill, who doggedly fought his designation as a "person of interest" in the press and the courts for five years, was recently vindicated when the FBI paid him $5.8 million for the damage done to his reputation and career.

Moreover, while there is no doubt that Ivins had psychological problems that ultimately prompted his suicide, his attorney and family say that being subjected to such intense federal scrutiny was also partly to blame. And those who worked most closely with the eccentric scientist at Fort Detrick have openly challenged the bureau's claim that Ivins was the perpetrator. Critics have called for more congressional hearings and even an independent commission to examine the entire Amerithrax investigation. In any

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event, the controversy over the case highlights the continuing difficulty of "attribution"—identifying the source of an attack so that its sponsors can be punished and future strikes deterred—even in an age of sophisticated bioforensics.

Some scientists—though they're in the minority—view the proliferation of high-containment, top-security labs as a liability. Government officials like Anthony S. Fauci, the National Institutes of Health official who heads biodefense research, maintain that there was a critical shortage of such labs in 2001 and that the expansion will eventually result in better diagnostics and next-generation drugs. But Elisa D. Harris, a biosecurity expert at the University of Maryland, warned in the *New York Times* that the increase of high-containment labs and undertrained personnel was creating the very threat that it was intended to thwart. "The correct response to the anthrax letter attacks," agrees Richard H. Ebright, a biochemist at Rutgers, "should have been to curtail the number of people and institutions with access to the deadliest agents and to dramatically increase security surrounding such research."

"'In 2001, we could get antibiotics to people in 2.5 weeks. Today it takes four days, but that's still not good enough.'"

Keith Rhodes, chief technologist at the Government Accountability Office, also warned Congress last October that the nation was at "greater risk" because of the increase of BSL-4 labs from five before 2001 to 15 today. His agency estimated that at least 15,000 technicians were working with dangerous pathogens in BSL-3 and BSL-4 labs—the vast majority of them for the first time—and that, though no one knew exactly how many public and private BSL-3 labs were in operation, the number was "surely in the thousands." Moreover, he added, articulating a more widely shared concern, though 12 federal agencies were involved in some aspect of biological research, no single agency was responsible for monitoring the labs and managing the risks. While most of the scientists in the field welcome the additional lab capacity, they do worry about the lack of direct federal oversight and insufficient safety and security standards at these new labs. "We have not wildly expanded over what we need," O'Toole says. "But we do need better training and to ensure that the labs and people in them conform to rigorous standards."

As for the Strategic National Stockpile, its drugs will help combat bioterrorist attacks only if they can be delivered and distributed rapidly enough—and at present, the government doubts that they can be. "When we began in 2001, we could get antibiotics to people in 2.5 weeks," says a senior official. "Today it takes four days, but that's still not good enough. We need to do it in two days. We've moved mountains, but not enough of them."

Among the recommendations that President Bush endorsed in the June meeting was a proposal to support additional testing of drug and vaccine delivery by mail and other methods. For example, instead of using mainly public buildings as PODs (points of distribution), as New York and other cities currently plan, government might also use large commercial enterprises like Wal-Mart. But even then, who would administer the drugs after an attack? A federal scheme in 2003 to inoculate half a million health-care workers against smallpox foundered after Washington failed to provide guarantees that workers who fell ill because of the vaccine would be compensated; only 40,000 workers volunteered to be vaccinated, 8 percent of the target.

Supplying the Strategic National Stockpile is another challenge. BioShield is a multibillion-dollar fund to encourage the development of vaccines and other drugs for the stockpile. But major pharmaceutical companies have proved reluctant to develop drugs whose main customer would be the government, fearing that the market for such drugs is likely to be limited, absent

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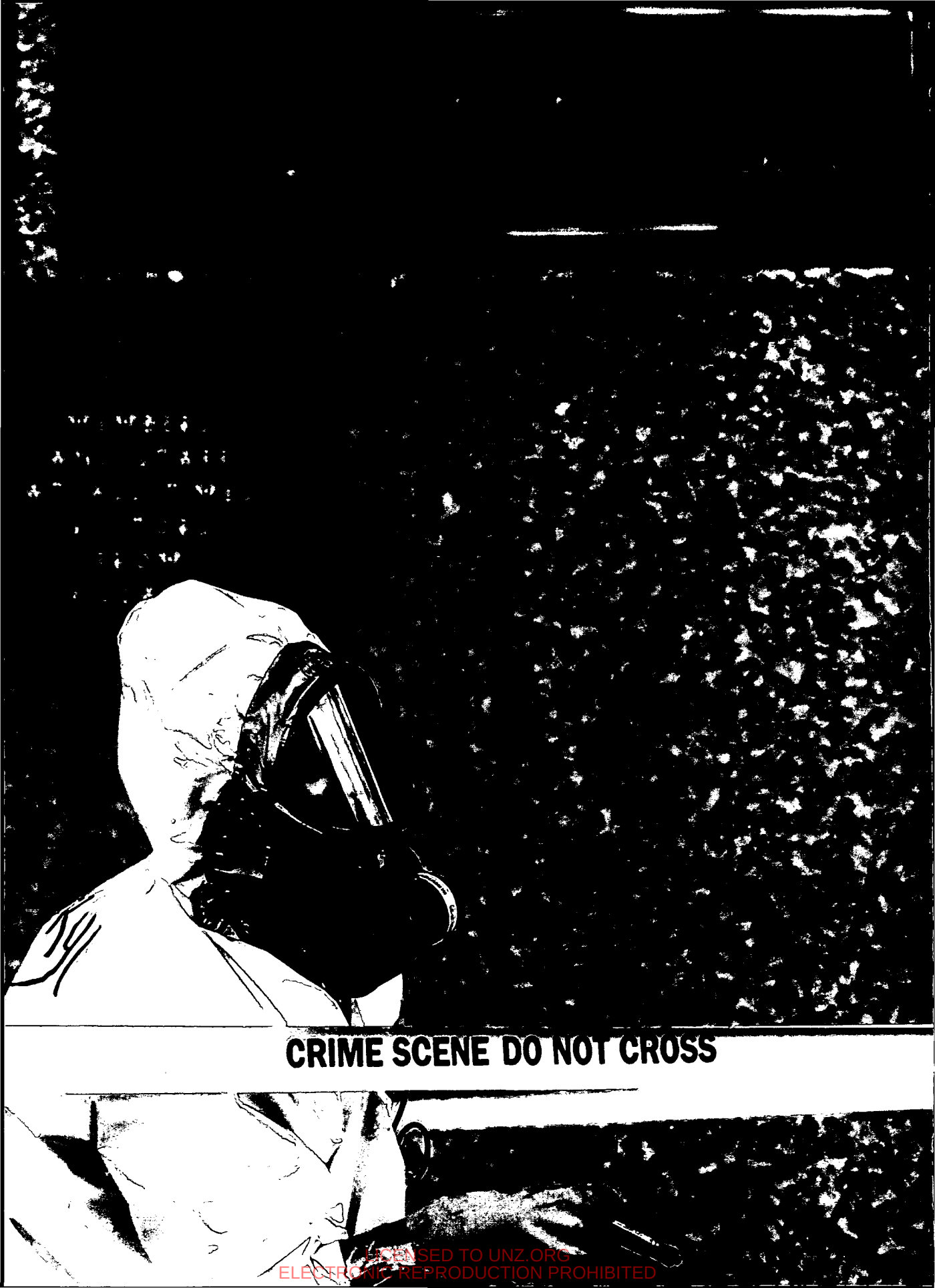

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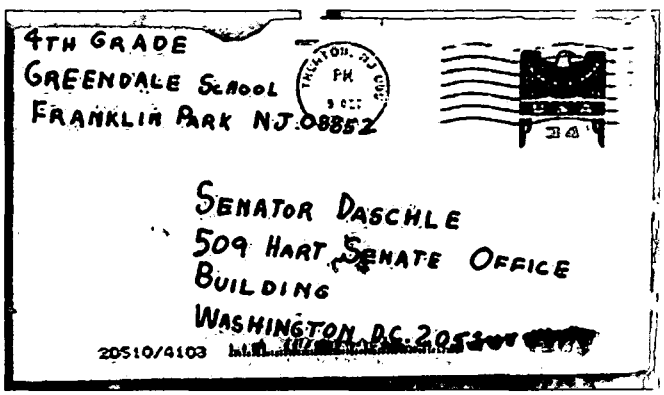
an attack, and that research costs wouldn't be recouped. As for smaller firms, the government was forced in 2006 to cancel its contract with VaxGen, a biotech start-up that had never produced a vaccine before. VaxGen was to help supply 75 million more doses of a safer, second-generation anthrax vaccine, but repeatedly missed its deadlines.

Even if drugs can be manufactured sufficiently and delivered promptly, they depend on our ability to detect an attack in the first place. In a project called "BioWatch," Washington has deployed equipment in more than 30 cities to sniff out deadly germs in the air—but because the sniffers' filters must be checked manually and transported to labs for diagnosis, detecting the germs can take up to 36 hours. New York City has been testing six automated sensors that detect the existence of an unwelcome pathogen more quickly—the only such units yet deployed in the nation. "We want to know when something happens as soon as it happens," says Dani-Margot Zavasky, an infectious-disease specialist who advises the NYPD on WMD-related medical issues.

But the Department of Homeland Security has rejected the city's appeal for more units, which last September led police commissioner Raymond W. Kelly, for whom counterterrorism is a religion, to berate BioWatch's "anemic budget" and the "low priority" that the federal government places on biosurveillance. (Amy Kudwa, a DHS spokesperson, counters that the department's investment of almost $400 million in BioWatch proves its commitment to the detection effort.)



RON SACHS/CORBIS

An anthrax-laced letter to Senator Tom Daschle contaminated the U.S. Senate's Hart Office Building in October 2001.

Then there are the federal government's bureaucratic mistakes. Numerous officials, advisors, and independent analysts criticize what they say is the government's lack of emphasis on the personnel needed to staff labs, produce drugs, and create and operate detectors and other expensive technology. "It is our passion for *things*, for quick technical fixes, gadgets and more labs, better detectors, that obscures our real needs and vulnerabilities," says Colonel David R. Franz, a former commander of the defense lab at Fort Detrick. Federal budgetary decisions have reflected this bias, health officials complain, with cuts almost invariably targeting not equipment but nurses, lab technicians, and other "first responders" critical in the immediate aftermath of an attack.

Complaints about the government's episodic focus on biosecurity are also common. While Washington threw money at biosecurity soon after the anthrax letter attacks, it took the White House almost three years to produce a "blueprint" for the nation's future biodefense program—and that blueprint mandated that the net assessment be completed in four more years. Further, the White House didn't lay out a strategy for public health and medical preparedness for catastrophes until last October, O'Toole says. "Although we're in better shape than we were before the anthrax attacks, biosecurity no longer seems to have national priority," says Richard Falkenrath, the NYPD's deputy commissioner for counterterrorism, who previously coordinated biodefense in the Bush White House.

A lack of coordination among federal agencies in biodefense preparations is another problem, critics say. The federal government has no single, central oversight to ensure that its departments' many grants are financing research likely to result in useful drugs, vaccines, and equipment. It has, in sum, no obvious way to determine if

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the billions allocated to biodefense are being spent wisely. "There is clearly a need to rethink how we would respond to a major terrorist event," says Penrose "Parney" Albright, a former senior defense official and national security expert, "and for a biodefense management system that sets requirements and oversees agency programs to ensure they are responsive to those needs."

Stories about federal turf battles abound, too—in particular, the dysfunctional split between the Department of Health and Human Services (DHHS) and that younger, bureaucracy-bound behemoth, the Department of Homeland Security. At a conference in Baltimore last August, scientists from the Centers for Disease Control and Prevention, a notoriously independent fiefdom within DHHS, disclosed that they no longer had confidence that the BioWatch monitors would detect the presence of germs other than anthrax and plague—a concern that they had not previously shared with Homeland Security, which is responsible for the monitors.

And two key papers in the net assessment—one by Robert P. Kadlec, a physician who is now the White House's senior director for biological defense policy, and another by Albright—say that America remains vulnerable partly because its early plans rested on unrealistic assumptions about the federal government's role in responding to bioterrorism. "After the anthrax mailings, we initially thought that because all crises are local, our states and high-value-target cities would be able to manage a serious or sustained attack if they received enough federal dollars to help them prepare," says an official privy to the ongoing debate in Washington. "We now know, as Hurricane Katrina demonstrated, that the federal government would have to take the lead in a true bioterror emergency."

But the feds aren't yet prepared for taking that lead. While they are ready to deliver an emergency supply of vaccine from the stockpile to a state, say, they still have no plans in place to deploy the army or order governors to send the National Guard to help with distribution of the vaccine. DHS officials say that they have "plans and guidelines in place" to help cities respond to bioterrorism, but city officials call these plans vague and "nonoperational."

Two of the papers written for the "net assessment" discuss New York City in particular, and their conclusions are apparently grim. One, a 50-page study of New York's response plans and its "decision sequence" in the event of an attack, was written by Edward Hamilton, a former New York deputy mayor, and Terrance Leighton, a scientist at Children's Hospital Oakland Research Institute in California. According to experts who described the study, it found that despite New York's extensive plans and preparations, the city would be severely challenged by a major anthrax attack and would have difficulty recovering.

Officials who had read the papers said that neither New York nor any other American city had plans that could manage a true catastrophe. The city would struggle to distribute drugs and transport public health emergency workers, since contamination would probably close its subways. The city has no decontamination plans; decontaminating skyscrapers would be a forbidding challenge; and there are no federal standards on how clean an area must be before it can be reoccupied. "No locality can set such standards," one expert says. "This is yet another federal function that has not been done, and it is not trivial."

The Hamilton-Leighton study builds on earlier work by Lawrence Wein, a Stanford University business school professor. In 2003, he calculated that a large aerosolized anthrax attack in New York might result in 100,000 deaths, even if early cases were successfully diagnosed and drugs quickly delivered and taken. Two years later, he calculated that decontaminating New York by traditional methods could cost well over $20 billion and take 314 years. Wein has also argued that current plans for distribution of antibiotics from PODs could result in delays costing up to 10,000 lives a day.

In a new study for the net assessment, experts say, Wein urges the government to consider distributing antibiotics before an attack, or after one, through a variety of alternative methods—including by mail to people's homes, the

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approach he endorsed in his earlier work. The government could encourage postal workers to come to work—a recent DHHS study predicts absentee rates of some 40 percent during a severe pandemic—by guaranteeing them and their families early doses of antidotes. New York officials, however, doubt that drugs could be delivered by the postal system; they fear that postal workers would stay home regardless, and that New York would be unable to provide sufficient security for those who did show up.

One bright spot is that New York has bolstered the federal BioWatch initiative by investing heavily in its own biological surveillance programs. The city electronically monitors everything from over-the-counter drug sales to hospital entries to emergency-clinic visits, says Isaac B. Weisfuse, New York's deputy commissioner of public health, and the city's 6,000-person health department is widely regarded as among the nation's best. But technologically speaking, most public health networks lag a decade behind New York's and can afford neither the technology nor the personnel in which the city has invested.

"Despite New York's extensive preparations, the city would be severely challenged by a major anthrax attack."

The challenge grows larger each day as the biotech revolution spreads skills and knowledge around the globe. Margaret Hamburg, a physician who served in senior health posts in the federal government and in New York City, calls the explosion of biotechnology "frightening." In a speech last September, she speculated on a variety of weapons, some already existent and others still being researched, that foes might deploy one day: aerosol technology to deliver infectious agents more efficiently into the lungs; gene therapy vectors that could cause a permanent change in an infected person's genetic makeup; "stealth" viruses that could lie dormant in victims until triggered; and biological agents intentionally engineered to be resistant to available antibiotics or evade immune response.

Those who regard such weapons as permanently beyond terrorists' capability should bear in mind that techniques that were theoretical just a decade ago can now be performed by high school chemistry students. Recent research by former Navy secretary and now Barack Obama advisor Richard J. Danzig drives the point home. While it was known that Aum Shinrikyo, the Japanese group that released nerve gas into the Tokyo subway in 1995, had experimented with botulism and anthrax and had sought to obtain Ebola, scientists once believed that the group's efforts to weaponize anthrax had failed because it had relied on a harmless vaccine strain. But Danzig's recent interviews with cult members in Japan suggest that over a decade ago, Aum nearly succeeded in making a benign strain lethal through genetic modification. "No one should take comfort in Aum's failure," said Hamburg. "The tools of biotechnology have jumped light-years since then."

Hamburg's observation underscores the ongoing need for intelligence about America's rivals and enemies—in fighting bioterrorism, an ounce of prevention really is worth a pound of cure, and our first line of defense against a devastating biological attack is still the intelligence community, whose knowledge of what is being cooked up in foreign laboratories remains inadequate. "In bioterrorism," warns Franz, "intentions are more important than capabilities."

Should an attack occur, there is no question that our capacity to respond, while improved, would still fall short. "What we've been trying to prepare for is obviously unprecedented," says one senior official. "Pandemics are tough enough, and for those there are precedents—the 1918 flu and even seasonal outbreaks. It's so much harder to prepare for something you've never experienced. You're obviously going to make some mistakes." □

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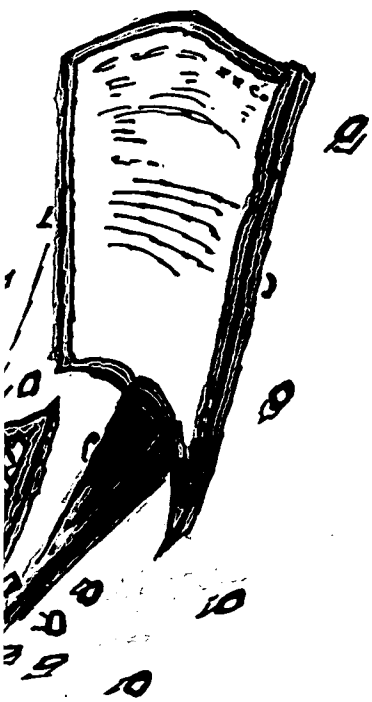
Love in the Time of Darwinism

A report from the chaotic postfeminist dating scene, where only the strong survive



Kay S. Hymowitz

Earlier this year, I published an article in *City Journal* called "Child-Man in the Promised Land." The piece elicited a roaring flood of mailed and blogged responses, mostly from young men who didn't much care for its title (a reference to Claude Brown's 1965 novel *Manchild in the Promised Land*) or its thesis: that too many single young males (SYMs) were lingering in a hormonal limbo between adolescence and adulthood, shunning marriage and children, and whiling away their leisure hours with *South Park* reruns, marathon sessions of *World of Warcraft*, and *Maxim* lists of the ten best movie fart scenes.

It would be easy enough to hold up some of the callow ranting that the piece inspired as proof positive of the child-man's existence. But the truth is that my correspondents' objections gave me pause. Their argument, in effect, was that the SYM is putting off traditional markers of adulthood—one wife, two kids, three bathrooms—not because he's immature but because he's angry. He's angry because he thinks that young women are dishonest, self-involved, slutty, manipulative, shallow, controlling, and gold-digging. He's angry because he thinks that the culture disses all things male. He's angry because he thinks that marriage these days is a raw deal for men.

Here's Jeff from Middleburg, Florida: "I am not going to hitch my wagon to a woman . . . who is more into her abs, thighs, triceps, and plastic surgery. A woman who seems to have forgotten that she did graduate high school and that it's time to act accordingly." Jeff, meet another of my respondents, Alex: "Maybe we turn to video games not because we are trying to run away from the responsibilities of a 'grown-up life' but because they are a better companion than some disease-ridden bar tramp who is only after money and a free ride." Care for one more? This is from Dean in California: "Men are finally waking up to the ever-present fact that

Illustrations by Arnold Roth

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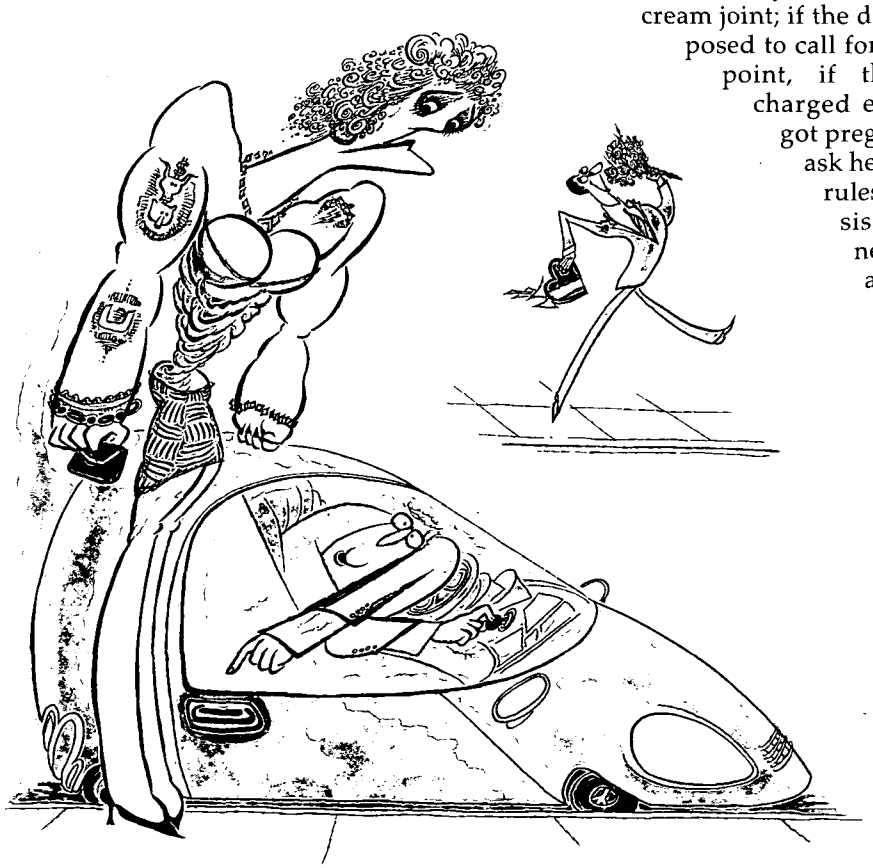
traditional marriage, or a committed relationship, with its accompanying socially imposed requirements of being wallets with legs for women, is an empty and meaningless drudgery." You can find the same themes posted throughout websites like AmericanWomenSuck, NoMarriage, MGTOW (Men Going Their Own Way), and Eternal Bachelor ("Give modern women the husband they deserve. None").

The reason for all this anger, I submit, is that the dating and mating scene is in chaos. SYMs of the postfeminist era are moving around in a Babel of miscues, cross-purposes, and half-conscious, contradictory female expectations that are alternately proudly egalitarian and coyly traditional. And because middle-class men *and* women are putting off marriage well into their twenties and thirties as they pursue Ph.D.s, J.D.s, or their first $50,000 salaries, the opportunities for heartbreak and humiliation are legion. Under these harsh conditions, young men are looking for a new framework for understanding what (or, as they might put it, WTF) women want. So far, their answer is unlikely to satisfy anyone—either women or, in the long run, themselves.



Now, men and women have probably been a mystery to one another since the time human beings were in trees; one reason people developed so many rules around courtship was that they needed some way to bridge the Great Sexual Divide. By the early twentieth century, things had evolved so that in the United States, at any rate, a man knew the following: he was supposed to call for a date; he was supposed to pick up his date; he was supposed to take his date out, say, to a dance, a movie, or an ice-cream joint; if the date went well, he was supposed to call for another one; and at some point, if the relationship seemed charged enough—or if the woman got pregnant—he was supposed to ask her to marry him. Sure, these rules could end in a midlife crisis and an unhealthy fondness for gin, but their advantage was that anyone with an emotional IQ over 70 could follow them.

Today, though, there is no standard scenario for meeting and mating, or even relating. For one thing, men face a situation—and I'm not exaggerating here—new to human history. Never before have men wooed women who are, at least theoretically, their equals—socially, professionally, and sexually. By the time men reach their twenties, they have years of experience with women as equal

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competitors in school, on soccer fields, and even in bed. Small wonder if they initially assume that the women they meet are after the same things they are: financial independence, career success, toned triceps, and sex.

But then, when an SYM walks into a bar and sees an attractive woman, it turns out to be nothing like that. The woman may be hoping for a hookup, but she may also be looking for a husband, a co-parent, a sperm donor, a relationship, a threesome, or a temporary place to live. She may want one thing in November and another by Christmas. "I've gone through phases in my life where I bounce between serial monogamy, Very Serious Relationships and extremely casual sex," writes Megan Carpenter on Jezebel, a popular website for young women. "I've slept next to guys on the first date, had sex on the first date, allowed no more than a cheek kiss, dispensed with the date-concept altogether after kissing the guy on the way to his car, fucked a couple of close friends and, more rarely, slept with a guy I didn't care if I ever saw again." Okay, wonders the ordinary guy with only middling psychic powers, which is it tonight?

"Never before have men wooed women at least theoretically their equals—socially, professionally, and sexually."

In fact, young men face a bewildering multiplicity of female expectations and desire. Some women are comfortable asking, "What's your name again?" when they look across the pillow in the morning. But plenty of others are looking for Mr. Darcy. In her interviews with 100 unmarried, college-educated young men and women, Jillian Straus, author of *Unhooked Generation*, discovered that a lot of women had "personal scripts"—explicit ideas about how a guy should act, such as walking his date home or helping her on with her coat. Straus describes a 26-year-old journalist named Lisa fixed up for a date with a 29-year-old social worker. When he arrives at her door, she's delighted to see that he's as good-looking as advertised. But when they walk to his car, he makes his first mistake: he fails to open the car door for her. Mistake Number Two comes a moment later: "So, what would you like to do?" he asks. "Her idea of a date is that the man plans the evening and takes the woman out," Straus explains. But how was the hapless social worker supposed to know that? In fact, Doesn't-Open-the-Car-Door Guy might well have been chewed out by a female colleague for reaching for the office door the previous week.

The cultural muddle is at its greatest when the dinner check arrives. The question of who grabs it is a subject of endless discussion on the hundreds of Internet dating sites. The general consensus among women is that a guy should pay on a first date: they see it as a way for him to demonstrate interest. Many men agree, but others find the presumption confusing. Aren't the sexes equal? In fact, at this stage in their lives, women may well be in a *better* position to pick up the tab: according to a 2005 study by Queens College demographer Andrew Beveridge, college-educated women working full-time are earning more than their male counterparts in a number of cities, including New York, Chicago, Boston, and Minneapolis.

Sure, girls can—and do—ask guys out for dinner and pick up the check without missing a beat. But that doesn't clarify matters, men complain. Women can take a Chinese-menu approach to gender roles. They can be all "Let me pay for the movie tickets" on Friday night and "A single rose? That's it?" on Valentine's Day. This isn't equality, say the male-contents; it's a ratification of female privilege and, worse, caprice. "Women seemingly have decided that they want it all (and deserve it, too)," Kevin from Ann Arbor writes. "They want to compete equally, and have the privileges of their mother's generation. They want the executive position, AND the ability to stay home with children and come back into the workplace at or beyond the position at which

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they left. They want the bad boy and the metrosexual."

This attraction to bad boys is by far guys' biggest complaint about contemporary women. Young men grew up hearing from their mothers, their teachers, and Oprah that women wanted sensitive, kind, thoughtful, intelligent men who were in touch with their feminine sides, who shared their feelings, who enjoyed watching *Ally McBeal* rather than *Beavis and Butt-Head*. Yeah, right, sneer a lot of veterans of the scene. Women don't want Ashley Wilkes; they're hot for Rhett Butler, for macho men with tight abs and an emotional range to match. One popular dating guru, David DeAngelo, ranks "Being Too Much of a Nice Guy" as Number One on his list of the "Ten Most Dangerous Mistakes Men Make with Women." At a website with the evocative name RelationShit.com ("Brutally honest dating advice for the cynical, bitter, and jaded" and sociological cousin of DatingIsHell.net), the most highly trafficked pages are those dedicated to the question of why women don't like good guys. A website (and book) called Hot Chicks with Douchebags rubs it in by offering pictures of jerks—we know by their ripped jeans, five o'clock shadow, gelled hair, and bling—standing next to adoring, bikini-clad blondes.

According to a "Recovering Nice Guy" writing on Craigslist, the female preference for jerks and "assholes," as they're also widely known, lies behind women's age-old lament, "What happened to all the nice guys?" His answer: "You did. You ignored the nice guy. You used him for emotional intimacy without reciprocating, in kind, with physical intimacy." Women, he says, are actually not attracted to men who hold doors for them, give them hinted-for Christmas gifts, or listen to their sorrows. Such a man, our Recovering Nice Guy continues, probably "came to realize that, if he wanted a woman like you, he'd have to act more like the boyfriend that you had. He probably cleaned up his look, started making some money, and generally acted like more of an asshole than he ever wanted to be."

Adding to the bitterness of many SYMs is the feeling that the entire culture is a you-go-girl cheering section. When our guy was a boy, the media prattled on about "girl power," parents took their daughters to work, and a mysterious plague seemed to have killed off boys, at least white ones, from school textbooks. To this day, male-bashing is the lingua franca of situation comedies and advertising: take the dim-witted television dads from Homer Simpson to Ray Romano to Tim Allen, or the guy who starts a cooking fire to be put out by his multitasking wife, who is already ordering takeout. Further, it's hard to overstate the distrust of young men who witnessed divorce up close and personal as they were growing up. Not only have they become understandably wary of till-death-do-us-part promises; they frequently suspect that women are highway robbers out to relieve men of their earnings, children, and deepest affections.

As the disenchanted SYM sees it, then, resistance to settling down is a rational response to a dating environment designed and ruled by women with only their own interests in mind. "Men see all of this, and wonder if it's really worth risking all in the name of 'romance' and 'growing up,'" a correspondent who calls himself Wytchfinde explains. "After all, if women can be hedonistic and change the rules in midstream when it suits them, why shouldn't men? Why should men be responsible when women refuse to look into the mirror at their own lack of accountability?"

So, men like Wytchfinde conclude: No more Mister Nice Guy! They will dump all those lessons from their over-feminized childhood and adolescence. They will join what the *Boston Globe* has called the "Menaissance." And they will buy titles like *The Alphabet of Manliness* (K is for Knockers, Q is for Quickies), *The Retrosexual Manual, Being the Strong Man a Woman Wants*, and actor Jim Belushi's recent *Real Men Don't Apologize*.

By far the most important philosopher of the Menaissance is Charles Darwin. The theory that human sexual preferences evolved from the time

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that hominids successfully reproduced in the primeval African grasslands can explain the mystery of women's preference for macho—or alpha—males. At the same time, evolutionary theory gives the former wuss permission to pursue massive amounts of sex with an endless assortment of women. Finally, the emphasis that Darwinism places on natural selection encourages him to adapt to the brutal current sexual ecosystem. Culture, in both its feminist and Emily Post forms, hasn't won him any favor with women, so he will embrace Nature in all its rude harshness.

For one illustration of dating à la Darwin, consider what's known as the Seduction Community. The Community is a loose network of dating coaches, gurus, and their followers whose philosophical origins lie variously in Darwin, Norman Vincent Peale, and hyperlogical geekdom. Women want alpha males, the Seduction Community agrees; with some effort at self-improvement, any man can learn the game—Game, as it is reverently known—that will turn him into a Pick Up Artist (PUA). A highly skilled PUA can get any woman, even an HB10 (Hot Babe who is a perfect 10; Game has more acronyms and rankings than the Department of Defense does). It's impossible to know just how many wannabe PUAs there are out there, but judging from the multitude of websites like AlphaSeduction, Fast Seduction 101, Grow Your Game, SeductionTutor, and The Seduction Chronicles, as well as chat rooms, conferences, ads for seduction gurus, boot camps not just in the United States but all over Europe and parts of Asia, and books, including Neil Strauss's 2005 best-selling *The Game*, their numbers are considerable.

Game is best understood as an SYM attempt to bring order to contemporary dating confusion. "Things don't make sense anymore, that's why we need pickup," one commenter on Fast Seduction 101 explains. It teaches the ordinary nice guy—in Gamespeak, the Average Frustrated Chump (AFC)—how to reinvent himself to survive in a ruthless dating environment. That means desensitizing the AFC to rejection and, alas, building up his jerk quotient. Teachers encourage clients to project confidence and sexual energy, what is called, depending on the guru, "cocky funny" or "amused mastery." In *The Aquarian*, a New York–based music magazine, Kevin Purcell describes his experience at a Game workshop: "One of our first tasks was to walk around the hotel silent, repeating in our heads 'I don't give a fuck what anyone thinks about me.' This mentality, it was assumed, would help lower the wall of anxiety and make us less prone to the pain of rejection. Like soldiers responding to a drill sergeant, when asked 'What are you?' we were instructed to loudly proclaim, 'A fucking ten!' "

"Women, says a 'Recovering Nice Guy,' are not attracted to men who hold doors for them or listen to their sorrows."

Sealing the deal for Darwinists is their quarry's biological clock. The main reason that young educated adults are increasingly marrying in their late twenties and thirties is that women are pursuing education and careers, but ironically, the delay works to men's advantage. Once they get past their awkward late teens and early twenties, men begin to lose their metaphorical baby fat. They're making more money, the pool of available women has grown, and they have more confidence. "I could get a woman now, but when I'm 30 or 35 I could do better," Bryson, an otherwise nice-guy 24-year-old from D.C., tells me.

Darwinist dating may explain the litany of stories you hear from women about the troglodytes in their midst. "We can be slovenly from the start," one interview subject told Amy Cohen in her dating column for the *New York Observer*, "because we can get laid anytime we want." Remember those women who want a guy who will open the car door for them? They may be lucky if they find one willing to add "please"

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to "Pass the ketchup." Women complain that instead of calling to ask them out, or even make plans for a date, men simply text, "Heading downtown. Where r u?" as they walk to the subway. That may be deliberate. "There is no longer any reason to answer the phone when a woman calls you or return her call when she leaves you a message," insists one dating pro at World of Seduction. "What should you do? Text message, of course." Text messages, he argues, deflect unnecessary personal involvement and keep women on edge. Game goes even further, actually encouraging men to "neg" their "target" women—that is, to undermine their confidence subtly by ignoring or mildly insulting them. The hotter the woman, the more essential it is to neg her.

"'We can have sex with as many women as we want and not have to worry about making any of them pregnant.'"

Indeed, the Darwinists wonder, why pretend we're interested in anything other than sex? Jillian Straus recalls meeting a man at a Hamptons pool party who, early on in their conversation, asked: "So, are you getting any?" One of Cohen's lessons in contemporary politesse came on a first date with a man who asked her how many guys she had slept with and whether she owned a vibrator.

Darwinian mores, or anti-mores, also explain the brutal status jockeying that pervades the contemporary dating scene and that makes the high school cafeteria look like a feminist utopia. Check out DarwinDating.com, a matchmaking website "created exclusively for beautiful, desirable people." Members rank your picture on a scale of one to five and vote on whether to let you join their honored ranks or throw you into the slush pile of "saggy," "hairy," "sweaty," "nerdy" rejects. My 28-year-old daughter tells me of a friend, a Yale alum and Stanford business school graduate, who asked her, apropos of nothing, "If you ranked women from one to ten, one being Ugly Betty and ten being Elizabeth Hurley, what number could I get?" Jillian Straus describes a 34-year-old sales manager from Dallas who says that his current girlfriend meets just six out of his ten requirements for the perfect girlfriend. When they go out together, he's constantly looking for an "upgrade."

Men are convinced that they are no worse—and probably a good deal better—than women in making these calculations. With good Darwinian logic, though, they believe that women tend to do their reckoning on the basis of wallet size rather than pulchritude. "Girls are really good at that kind of math," one jaded twentysomething man writes to me about his entry-level salary. In a review of the movie *Sex and the City*, the English author Toby Young remembers the five years he had lived in New York: "Attractive single girls not only dropped their 'dates' at the slightest whiff of a bigger, better deal, they routinely betrayed their girlfriends, too." (As his only half-facetious name suggests, Carrie's Mr. Big is pure alpha—rich and, as if proving the conclusions of recovering nice guys everywhere, a bit of a jerk.)

It would be easy enough to write off the dating Darwinists as simple renegades against female empowerment. Easy, but misleading. Menaissance men think that women's equality has brought real benefits, though they might not agree with women about what those benefits are. "We can have sex with as many women as we want and not have to worry about making any of them pregnant," one of my more upbeat respondents, an SYM named Curtis, writes. "Men are having more freedom and fun than ever before in all of history as a result of this, because if there's one thing every single man can agree upon, it's that having sex with as many women as possible is a great thing." Seduction artists even say they prefer savvy women who understand Game as a male version of cleavage-revealing tops. Attracting

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the opposite sex is, well, a game—an intricate and thrilling game.

Moreover, the Darwinists have not just hard-luck stories on their side, but hard data as well. Forty years after they threw off the feminine mystique, women continue to prefer bigger, stronger, richer men, at least as husbands. They almost always marry men who are taller than they are, men who are several years older than they are (though the age difference has declined in recent decades), and men who earn more than they do (though that number, too, has declined a bit). Most of the women interviewed by Jillian Straus say that they're looking for a man who can be the primary breadwinner. A June 2008 *New Scientist* article reports on two studies that even suggest that women are biologically attracted to "jerks"; researchers speculate that narcissistic, risk-taking men had an evolutionary advantage. Can anyone doubt the reason the gyms swarm with so many guys bench-pressing 250 pounds? Sculpted pecs are to today's SYM what plumage is to the peacock.

No, the problem with the Darwinian tenor of the Menaissance is neither antipathy to women's equality nor a misguided reading of female nature. It is an uncompromising biological determinism that makes no room for human cultivation. We are animals, the new Darwinians seem to say; get used to it. They define manhood as alpha-style toughness and unsentimental promiscuity. And in that spirit, they cultivate manipulation, calculation, and naked (in both the literal and metaphorical sense) self-interest. "Nature doesn't care about hurting people's feelings," explains dating coach Mike Pilinski. "It cares ONLY about reproductive success."

From one vantage point, they are right. Manipulation and self-interest suffused relations between the sexes even when gentlemen strode the earth; a few pages of Edith Wharton should disabuse any doubters on that score. But human beings rely on culture to tame natural selfishness. After all, we have prohibitions against grabbing a neighbor's steak off the grill or kidnapping his daughter, to give just two examples of behavior about which Nature also doesn't care. For this reason, successful human cultures expect far more of their men than muscle and promiscuity. If Darwinian daters fail to understand this, you can't entirely blame them. They see that when the old dating and courting regime fell, it left a cultural vacuum with no rules for taming or shaming the boors, jerks, and assholes. What do they have to lose?

Nevertheless, you might ask, are there really so many dating Darwinists on the prowl? Is dating really hell, as the website would have it, for the majority of contemporary SYMs and Fs? Probably not. It's a safe bet that for all the confusions and humiliations of dating, most men will still try to be nice guys who say "please" and avoid asking a woman about her sexual history until, say, the third date. And if the past is any guide, most of them, even the most masterly PUAs, will eventually find themselves coaching Little League on weekends. In a national survey of young, heterosexual men, the National Marriage Project, a research organization at Rutgers University, found that the majority of single subjects hoped to marry and have kids someday.

However, it's also a good guess that a significant minority of SYMs are the sort you wouldn't wish on your friends and relatives. Twenty-two percent of the men in the National Marriage Project's survey were "relatively hardcore marriage avoiders," mistrustful of women, and highly skeptical of lifelong commitment. The years they've spent prowling the dating savanna only reinforce their cynicism. Neil Strauss, the author of *The Game*, says that during his PUA years, he saw enough lies and infidelity to make Darwin look like an optimist. "Losing all hope is freedom," snarls the blogger at Eternal Bachelor.

In fact, some people would wager that the Darwinian answer to dating chaos is our future normal. "I have lived in many places, countries, and cultures," Douglas Gurney from Montgomery, Alabama, writes. "This is a worldwide phenomenon. The behavior of men is simply a response (which is actually a quite logical one) to the changing behavior of women. Simply put, men are a breeding experiment run by women. You reap what you sow—and when a man can sow all he wants and leave the reaping to others, well, why not?" ■

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Curing Diversity

The new medicine shows that we're biochemically separate and unequal—and regulators are starting to catch on.

Peter Huber

Life is unfair, and while others have suspected as much before, biochemists can now prove it. You have colon cancer—possibly because a flawed APC gene failed to produce the protein that helps prevent the disease. When the cancer spreads to your liver, you need Pfizer's Camptosar. But if you're the one-in-ten patient with a flawed UGT1A1 gene—find out with a Food and Drug Administration–approved test kit—you lack an enzyme to purge the drug from your body before it accumulates to toxic levels. Your oncologist may be able to adjust the dose so you can take Camptosar anyway. Or maybe not.

Washington can't help. The Fourteenth Amendment doesn't guarantee equal protection at the pharmacy. No privacy-protecting, discrimination-banning law, no promise that someone else will pay, will ensure that a drug that suits others will suit your genetic profile too. If Pfizer can't make a gentler Camptosar, it will only do business with tougher patients. Meet "pharmacogenomics"—eugenics for drugs.

This is where diversity blather gives way to the rigorous diversity science that's taking over the medical show. Drugs supply almost all the real health care these days, because human hands are too big to grapple with the microscopic things that cause most of our problems. Eugenic drugs reflect how biochemically separate and unequal people are. Some, indeed, target genes that track sex, race, or ethnicity; their FDA licenses affirm truths unmentionable in polite society and approve conduct illegal in

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every other sphere of commerce and public life. All are terrible news for anyone determined to pull people together, pool medicine's costs, equalize its benefits, and lose diversity in the crowd. The doctors of equity promise universal access to the Mayo Clinic, where the real doctors now brew discriminatory cures and card your genes at the door.

So the stage is set for a long battle between radically new medical science and a senescent, unscientific vision of how diseases are cured and what the "health-care system" ought somehow to deliver. Much of the battle will be fought at the FDA, which is able to see things both ways, because it now has two separate brains humming away under its hat. What health care most needs is less of the old brain and more of the new. That policy alone will improve the quality of medicine and lower its cost more than any development since germs were exposed and immunology became a science almost a century and a half ago.

Soon after Watson and Crick published the blueprint for the double helix in 1953, George Hitchings and Gertrude Elion at Burroughs Wellcome began designing drugs systematically around the biochemistry presented by their intended targets. This logical approach foreshadowed the future of medicine and (in a weirdly circuitous way) the reinvention of the FDA almost three decades later. Scientists caught on much sooner, and "structure-based" drug design advanced rapidly as biochemists acquired the tools needed to read, configure, and build the molecules that choreograph life.

Drug designers take diseases apart. Iressa, for instance, targets a single receptor that proliferates in the most common form of lung cancer. The FDA licensed the drug in 2003, after clinical trials yielded good results. Follow-up trials involving almost 2,000 patients suggested, however, that the drug wasn't working after all. Further analysis then revealed that Iressa had indeed worked—but only on receptors found in 300 patients of Asian ancestry. Similar variations apparently explain significant differences in the efficacy of drugs used to treat many other cancers. White Americans have less tolerance for some antidepressants, antipsychotics, and heart-disease drugs, while blacks respond poorly to certain drugs for high blood pressure and hepatitis. Eleven variations in just one gene affect responses to common antidepressants.

Drug designers take the rest of the patient apart, too. Tolerance for many drugs often hinges on how well patients metabolize and expel them, which seems to depend on a couple of thousand variants in a couple of hundred different genes. What were once inexplicable "side effects" are now predictable interactions between the drug's chemistry and healthy parts of the patient's. That lets medicine keep the drug and vote the too-delicate patient off the island.

Designers are also finding out when to leave well enough alone. A gene variant discovered in early 2008 apparently protects about 40 percent of African-Americans from heart disease as well as certain drugs do, by tinkering in much the same way with adrenaline's effect on heart cells. Adriamycin has been routinely used against late-stage breast cancers, even though it can cause serious heart problems and spawn other cancers. A test that profiles 21 genes now identifies patients who will do as well on milder drugs, and others who can skip chemo altogether.

And that's it. Two thousand years after Democritus postulated a material universe made up of indivisible atoms, science can finally track life, too, down to its basic elements. Health once depended on four fickle humors, which apothecaries rebalanced with eye of newt, adder's fork, and fillet of the fenny snake. Cholera was just one ill-humored disease among many that left patients lying in puddles of their own waste—then Koch and Pasteur found *V. cholerae* in the puddle, and others found tetracycline to kill it. Until quite recently, heart attacks were just bad luck—now they're clogged arteries saved by cholesterol-busting Lipitor. Until even more recently, Camptosar's toxic side effects were a mystery—now they're a gene on a dipstick.

SCIENCE SOURCE

Francis Crick's 1953 sketch of the structure of DNA

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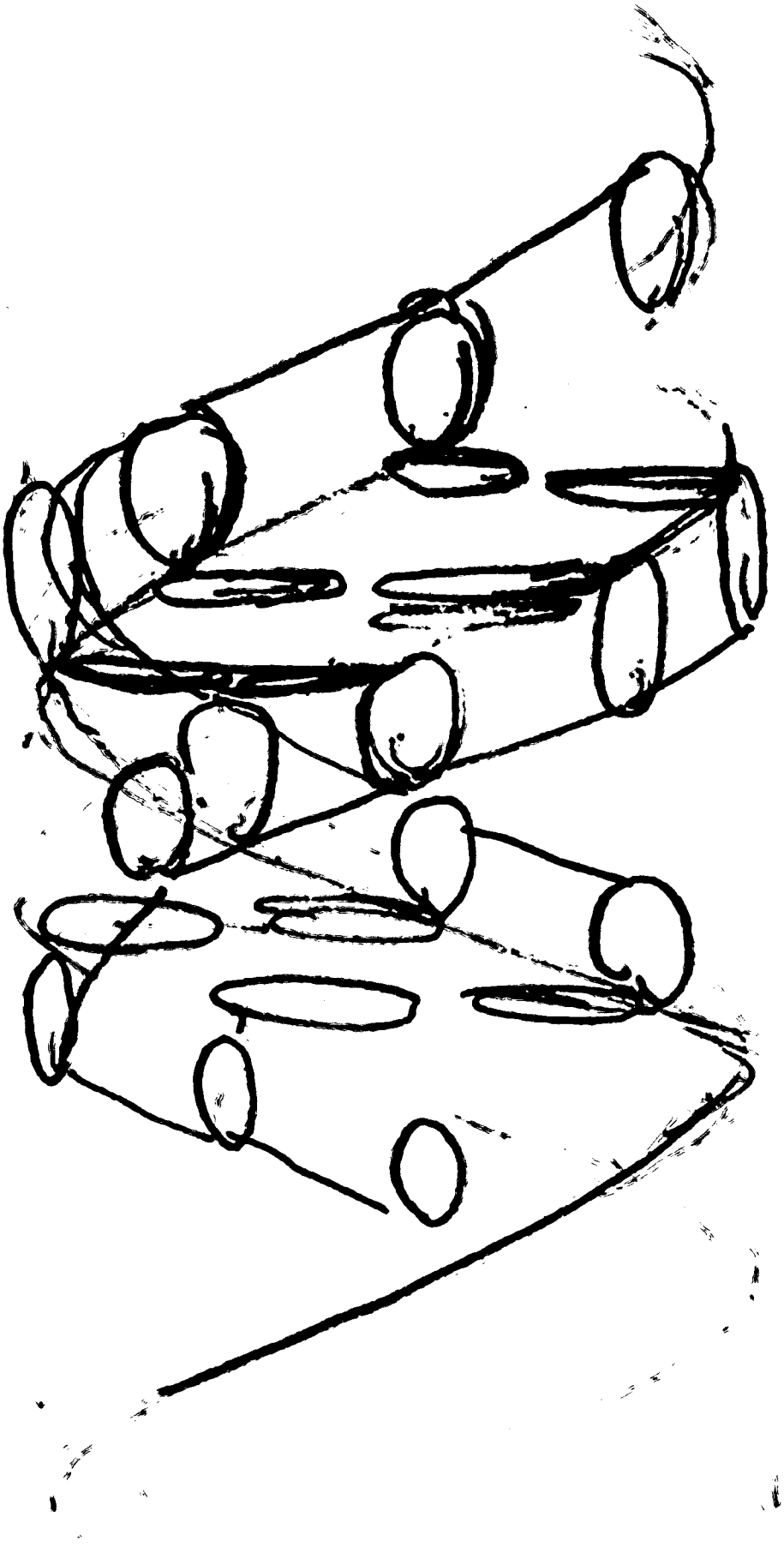

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At each step, medicine has advanced by disassembling—the old swellings, fluxes, and fevers into hundreds of discrete germs, the new into thousands of genes and other biochemicals. Pharmacology has found better ways to tame smaller shards of hostile life while dodging friendly molecular bystanders. And in scrambling to do all that, it has revealed that we aren't all the same deep down, neither in sickness nor in health.

Charles de Gaulle once wondered how anyone could govern a nation that had 246 different kinds of cheese. Designer medicine could probably stock that many varieties on just the cholesterol shelf of its fromagerie. The simplest fix: fewer cheeses.

In most developed countries, the fix happens at the national health pharmacy, which stocks the government's favorite Brie and skips the Bleu de Termignon. The price of the drug falls sharply when the owner of its patent is permitted to sell to just one buyer. And sharply again when the government migrates patients to a generic alternative, which it does as quickly as possible. Formularies, wholesale purchases, and uneven copayment schedules accomplish much the same in the United States. All such schemes favor the cheapest pills that can help the most patients—which means older drugs that serve the biochemical mainstream.

The government has compelling reasons to push things that way, because drugs are mostly know-how—the first pill costs a billion dollars, but copies cost only pennies to manufacture. So most drugs end up being sold close to cost when patents expire and generic copies flood the market. Every new sliver of human diversity offers drug companies, physicians, and patients a new opportunity and reason to go their own, separate, patented, and therefore expensive ways. Uniform crowds, one size fits all, and enough already are much cheaper.

Boundless diversity is ungovernable as well as costly. Setting national health-care priorities in Washington and herding people into line was straightforward when infectious germs threatened everyone and everyone could beat them with the same handful of vaccines and antibiotics. Most of today's drugs aim at differences within the herd itself. The fragmentation of diseases and cures leads inevitably to fragmentation of economic and political interest. That leaves drug companies in control of which patients—or make that biochemical profiles—the health-care system will help next, and companies are free to favor profiles that pay their bills. The global war against germs reached that point some time ago: the World Health Organization is very interested in malaria, but U.S. investors aren't. Genes are next. Progress toward universal health care now depends on a pipeline of drugs controlled by Wall Street, not Washington.

Happily for patients, Wall Street prizes diversity—the real thing—a lot more than Washington does. To be sure, drug companies make excellent money selling one-size cures for very common problems. But the stupendous diversity of human chemistry is the only thing that keeps the business profitable in the long run, because the clock is always ticking on patents already bottled, and at midnight the profits turn into pumpkins.

There is, moreover, lots of money to be made in tracking unhealthy differences down to their fragmented root causes. Drugs that target fatty blood, a malignant gene, or an insidious virus long before it morphs into a plaque, a tumor, or full-blown AIDS must often be prescribed for decades, and thus end up very profitable even when they address problems that aren't very common at all. Wall Street adores them.

Diversity also lets drug companies take an almost free ride on innovation pioneered by their rivals. By tweaking a pioneer drug's chemistry, a me-too competitor can dodge the patent while saving itself the cost of reinventing all the chemistry. About 4 percent of HIV patients on an AIDS drug called saquinavir develop very high cholesterol levels; these patients tolerate two statin drugs quite well but react badly to two others. The second-generation painkillers (Vioxx among them) cause less stomach irritation and bleeding than aspirin and, unlike Advil, can be taken in tandem with blood thinners. And so many people use cholesterol drugs and painkillers that making small changes in the chemistry of established drugs can do more good and earn more money

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than developing completely new drugs that target less common diseases.

The money is also happy to build the patient-profiling test kits—automated, microscopic laboratories constructed on silicon chips—that expose diversity and take markets apart. One developed by Roche and approved by the FDA in late 2004 detects 31 genetic variations that determine how well patients metabolize certain drugs. Eli Lilly has another that categorizes patient chemistry during clinical trials. "Theranostics," the combination of drugs with patient-screening kits, makes sense because greatly improving the product at modest cost almost always makes sense in a competitive market. Excluding the unsafe or ineffective drug-patient conjunctions during clinical trials can also cut hundreds of millions of dollars off the front-end cost of licensing. And if Pfizer itself doesn't develop the kit that tells patients that they can't metabolize Camptosar, Lilly or Roche will take care of it.

"Pharmacology has found better ways to tame smaller shards of hostile life while dodging friendly molecular bystanders."

The FDA revolves around a requirement, signed into law by President Kennedy in 1962, that every new drug must first prove itself in clinical trials. Congress neglected, however, to specify just how many different flavors of human diversity have to be invited to a trial before the drug is good to go.

This oversight wasn't surprising. Between 1906 and 1962, when most of the FDA's governing statute was cobbled together, the diseases that mattered were caused mainly by infectious germs, and the FDA knew better than to license bigoted drugs to fight them. Cholera causes epidemics because one size fits all—and tetracycline kills the bacterium wherever it finds it. An antibiotic can, in principle at least, work equally well and safely in every patient because it need not touch human chemistry at all. And the medical science of that era knew too little about the deep roots of heart disease, cancer, and most chronic and degenerative diseases to think about them very differently. Even less was known about diseases caused by drugs themselves—side effects.

In this state of ignorance, it was reasonable to hope that simple trials of modest size would suffice. Pollsters, after all, call a two-party national election by interviewing just a few thousand voters; each disease and its antidote seemed to present an equally simple, binary contest. The winner would be decided by tracking fevers, fluxes, lumps, morbidity, and other clinical symptoms, because germs aside, too little was known about the microscopic causes of diseases and side effects to proceed otherwise.

The years passed, and then the diversity police piled on. Their motives were probably more political than medical, but their demands made rough scientific sense, too. If patients are visibly different, they must also be somewhat biochemically different. Thus, six times between 1988 and 2002, Congress or the FDA itself demanded broader representation of race, ethnicity, sex, age, and "population subgroups" in clinical trials. As recently as 2005, the FDA licensed BiDil, a mixture of two older drugs for heart disease in "self-identified black patients"; a few months later, it directed drug companies to analyze clinical data using six sex/race/ethnic categories defined by the Office of Management and Budget to enforce civil rights laws in education. As the FDA sheepishly acknowledged at the time, however, those categories are "sociocultural construct[s]," not science. The patient, not the doctor, decides which box to check, and (s)he may check more than one.

Meanwhile, scientists had been excavating the biochemical constructs of diversity. What they found was (and remains) alarming: with tens of thousands of bystander molecules inside each patient, and no two patients quite the same, any drug that targets human

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chemistry and gets widely prescribed will almost inevitably sideswipe some innocents. Such drugs are risky even when they hit only the right target. In their 1985 Nobel lecture on the lipid, Michael Brown and Joseph Goldstein noted that cholesterol is a "Janus-faced molecule"—an indispensable component of our cell membranes, but lethal in excess. So, too, then, is Lipitor, and every other drug that tinkers with what makes us tick. Some bodies will inevitably stare down the dark face of the Janus-faced drug better than others.

To find out which ones, old-guard clinicians stage bigger trials and run them long enough for bad human chemistry to turn into bad clinical symptoms. Two decades ago, the typical trial involved about 1,000 patients; today, it's well over 4,000; and tens of thousands of patients can be involved in testing drugs intended for widespread use. The length of these massive trials keeps growing as well.

Costs have risen in tandem. In a 1994 directive explaining how much diversity must be tested in trials that they fund, the National Institutes of Health found it necessary to add that "cost is not an acceptable reason for exclusion." For drug companies, however, the cost of inclusion became a compelling reason to pursue only those drugs that could be sold to lots of patients once licensed—which gave the FDA still more reason to require even bigger, longer trials. Arm in arm, the FDA and its wards tracked diversity into a quagmire of human trials that never stop growing, take forever, and cost the earth.

The drugs that survive clinical trials involving huge, indiscriminately assembled crowds will inevitably be those that subdue the most common forms of the disease and that the most common brands of stomach, liver, kidney, heart, and immune system will tolerate. The minority of patients may be allowed to veto a drug that causes sufficiently nasty side effects, but the last drug left on the shelf will still be the one that best suits the majority. And even those that suit the majority quite well will often fail to win by margins big enough to persuade the FDA that the benefits to some outweigh the risks to others.

While Congress certainly didn't anticipate or intend this result in 1962, "safety first" has emerged as the most potent and politically seductive policy for narrowing choice, saving money in the short term, and promoting more uniform (though less effective) care. It favors older drugs over me-too novelties still under patent, because the older ones have had years of additional vetting in the market. It slows licensing to a crawl, because some bad side effect may always still lurk just over the horizon. And the safety-first mind-set can launch runaway litigation that can knock out entire classes of drugs. Vioxx, we learn, apparently boosts the risk of heart attack or stroke. Merck and the FDA were negligent or worse. Lawsuits will be filed against Vioxx and all similar painkillers. We should have stuck with generic ibuprofen.

A safety-first policy presents its biggest hurdle at the threshold: even volunteers can't be poisoned willy-nilly just to establish that a drug should not be licensed, so human trials can't get started at all until lab and animal tests confirm that a drug shows promise and isn't too toxic. In 1964, a cancer drug called zidovudine missed the cut.

Synthesized by Jerome Horwitz, zidovudine was an early product of the new, logical approach to drug design pioneered by Hitchings and Elion. Zidovudine is a "nucleoside analogue," a subtly flawed version of a molecule used to assemble nucleic acids like DNA, which cancer cells must clone every time they divide. The idea has been likened to bankrupting a bakery by supplying defective yeast. But 1964 wasn't a good time to be pursuing drugs that caused birth defects, even if only in cancer cells. The 1962 drug law had been propelled through Washington by a drug called thalidomide, which had a dreadful power to halt fetal limb development during the early stages of pregnancy. Burroughs Wellcome picked up zidovudine after Horwitz abandoned it, but then set it aside.

Then one day it became necessary to rethink everything. On June 5, 1981, government epidemiologists reported five cases, two of them fatal, of a rare form of fungal pneumonia in "previously healthy young men" living in Los

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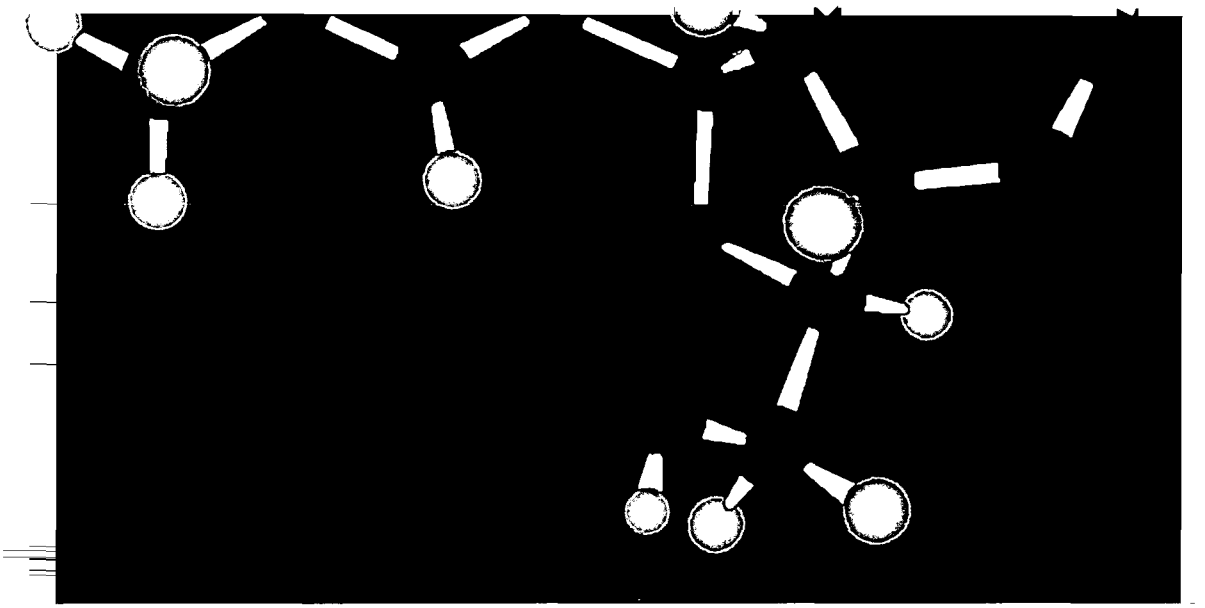

The molecular structure of the anti-AIDS medication zidovudine, . . .

Angeles. It took three years to isolate the underlying cause—a virus that destroys immune systems—by which time the stealth epidemic had been spreading across the United States for well over a decade. President Reagan's FDA blasted an HIV-only tunnel through President Kennedy's law, put the thalidomide past behind it, and embraced the molecular future.

Retroviruses like HIV reproduce by hijacking other cells and inserting their own blueprint into the host's DNA. This hybrid human-viral genome may then lie dormant for years before beginning to churn out billions of new virions in a cancer-like frenzy. Antibiotics can't fix infected DNA; what was needed was something more like a cancer drug. A biochemist at Burroughs Wellcome figured that zidovudine might work. He sent it to scientists at the National Cancer Institute and Duke University and suggested that they give it a whirl in their HIV lab glassware. It looked promising. The FDA immediately authorized clinical trials.

In the 1962 way of doing things, the clinicians wouldn't have been able to prove that zidovudine would help the typical HIV-positive patient any faster than the untreated virus was likely to kill him, and the killing typically took ten years. Presented with a dreadful but slow-motion disease, the first and only drug that showed real promise against it in the lab, and solid biochemical logic for why the drug should thwart the virus, the FDA scrambled to draft new "fast-track" protocols that would allow clinicians to dodge questions that conventional trials couldn't answer quickly HIV, zidovudine, Ronald Reagan, and the gay community thus converged to invent the first major lobe of the FDA's new brain

As later formalized in FDA-speak, "fast-track" trials may focus on "biomarkers" and "surrogate endpoints" rather than clinically observable effects. A drug, in other words, may prove its stuff against the low-level chemistry of disease, the viral loads, cholesterol levels, or rogue proteins; the FDA won't always require evidence that it beats the whole AIDS, heart attack, cancer, arthritis, or Alzheimer's Microscopic changes, which happen much faster, will suffice when they "reasonably suggest" whole-patient benefits in the future, however distant

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The rock-bottom biomarkers are genes. In guidelines published in 2005, the FDA lists dozens of examples of genetic differences that may cause "interindividual variations" in drug performance—by affecting how a patient absorbs, metabolizes, or excretes a drug or how the drug interacts with any diseased or healthy chemistry in the patient's body. Drug companies may use these differences in selecting patients for clinical trials, setting dosages, analyzing results, or writing warning labels. Companies are encouraged to develop diagnostic kits to identify biomarkers that matter.

The fast-track rules also changed the FDA's approach to safety. Zidovudine subverts HIV's genetic chemistry, but does it slip safely past all 25,000 human genes and their countless biochemical progeny scattered, in all their variety, through the rest of every last HIV-positive body? For all anyone knew in 1987, dreadful side effects would show up five years later. To dodge that concern, the first-round clinical trials focused on patients with advanced AIDS who were likely to die soon of fungal pneumonia. But everyone knew that once licensed, the drug was going to be used far more widely. The FDA licensed zidovudine anyway, though officially still clinging to the fiction that it would be used only by patients with terminal AIDS. The fast-track rule finalized very shortly after announced that whenever a "life-threatening" disease was involved, long-term safety questions could be resolved after the drug was licensed. Later versions of the rule said "serious" or even just "severely debilitating." Progressive blindness will do, but baldness won't. If the new drug can beat a seriously bad biomarker, patients get it now; what it does to bystanders will be worked out down the road. Safety later.

The zidovudine trial had to be shut down prematurely in 1986, when the dead-patient count reached 19–1 against the sugar pill and in favor of the drug. Doctors treating real live patients can't ethically keep prescribing placebos just to run up the score once they're personally convinced that the drug works. Thus, a drug for a new disease that had entered the lab in February 1985 was licensed in March 1987, far more quickly than any comparable drug had been cleared in the preceding two decades. A year later, Hitchings, Elion, and a third structural design pioneer shared the Nobel Prize for Medicine. Zidovudine is better known today as AZT.

For countless thousands of HIV patients, the fast-track rule turned out to be just barely fast enough. An AZT-resistant strain of HIV quickly emerged. Drug designers isolated the enzyme that HIV uses to assemble its protein shell, analyzed its three-dimensional structure, identified a key point of vulnerability, developed the first protease inhibitor—saquinavir—and completed a fast-track rush through the FDA in 1995. A third class of HIV drugs that target another bit of HIV's chemistry soon followed. Three-drug cocktails have proved effective ever since.

In the past decade, according to one recent study, 25 trials of drugs that treat cancer of the breast, bowel, lung, kidney, ovary, and gastrointestinal tract were stopped earlier than planned, all but one because the drug was working too well. Five hadn't yet enrolled even half the number of patients planned. Their designers were surely more gratified than surprised. Tracking pneumonia to AIDS to HIV to a protein to an enzyme provides the blueprint for saquinavir. The drug then gets licensed because it suppresses a biomarker just a small step or two back up that same chain. Biochemical logic substitutes for extra years at the Mayo Clinic. The dealer is allowed to peek at the cards in this kind of poker, and that improves his game considerably.

He can also stack the deck, inviting to the trial only patients who present the precise biomarker that the drug was designed to beat. Because most problem biomarkers don't correlate with race or sex, a trial stacked this way won't usually look discriminatory to the naked eye. But sometimes they do, so sometimes it will. Too bad—clinicians will stack the biomarkers regardless, or disgrace their profession.

Once a drug is licensed, doctors may then prescribe it to any patient to treat any disease—"off-label" prescriptions are perfectly legal. The 1987 AZT license approved prescriptions only to patients with the secondary infections that

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accompany full-blown AIDS. But there immediately followed, as one critic put it, a "froth of therapeutic euphoria," a rapid accumulation of evidence that the drug worked, and further (superfluous) clinical trials to keep FDA lawyers happy. Three years later, the FDA broadened the AZT license to cover early-stage treatment of any HIV-positive patient. Off-label bartenders then developed the three-drug cocktails. Letting doctors prescribe drugs indiscriminately causes trouble, too, but good outcomes spur rigorous trials that expand the license. That, in turn, allows broader marketing of the drug, expands insurance coverage, and often extends patents.

Biochemistry guides much of the off-label experimentation. Herceptin, first licensed to treat advanced breast cancers, was then found to cut recurrence rates in half for some patients with earlier-stage tumors. In the 1960s, the treatment of leprosy was revolutionized by one doctor's serendipitous prescription of a notoriously dangerous sedative. Two decades later, another scientist identified a protein that the sedative suppresses, the protein was then linked to other diseases, and by 2006, the drug had ten FDA licenses on its wall. Several of them cover diseases that occur mainly in AIDS patients. Having jolted the FDA out of its thalidomide-induced sleep, the virus thus helped rehabilitate thalidomide itself.

Thalidomide and AZT both got special tax credits and exclusive marketing rights under the 1983 Orphan Drug Act, yet another path-breaking change signed by President Reagan in the shadow of AIDS. The original idea was to help resurrect drugs dropped by pharmaceutical companies because too few patients needed them, but the law ended up also covering any new drug that treats a disease afflicting fewer than 200,000 U.S. patients. In 1987, AIDS still seemed rare enough meet that threshold.

"For countless thousands of HIV patients, the fast-track rule turned out to be just barely fast enough."

Under the orphanage's oversight, clinical trials grow smaller, not bigger. The tiniest orphan licensed so far was tested by a single doctor in eight of the 14 U.S. patients suffering from an exceedingly rare immune-deficiency disease. Orphans often get licensed quickly, too, because many orphan diseases are caused by flawed genes, many genetic diseases look serious enough to the FDA for the fast-track rule to kick in, and every unique gene defines a unique protein immediately downstream, which can serve as a biomarker to track. And orphan trials can be quite cheap. Getting a drug designated an orphan isn't difficult, and the FDA then helps design the tests needed to get it approved and offers some direct grants to help even the solitary doctor convert an off-label practice into a license.

The law lets rich parents adopt orphans, too, and that has allowed big drug companies to show how much they can accomplish under an FDA that welcomes small trials and makes quick decisions that are often predicated as much on biochemical logic as on clinical results. This has proved fortunate for the orphans, because exploring the genetic bottom where orphans abound is very expensive. Little orphan Gleevec was painstakingly designed to suppress a rogue human protein associated with a rare form of leukemia. The FDA approved quick trials, reviewed the results in three months, conceded it didn't yet know whether the drug would keep patients alive longer, and licensed it anyway. Science, the agency declared, now has "tools to probe the molecular anatomy of tumor cells in search of cancer-causing proteins." Gleevec is "proof that molecular targeting works."

Some of the little orphans then become billionaires. One year after securing its leukemia license, Gleevec landed a second to treat a rare gastrointestinal cancer. Five more orphan licenses followed, and more are expected. Gleevec currently rakes in several billion dollars a year, and

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its revenues continue to rise fast. Traveling the other way down the same road, some billionaires declare themselves orphans. Viagra is a certified orphan because it can treat a rare form of hypertension. So is a quite widely used acne drug, when directed against a rare cancer. Over half of the orphans end up as wards of Big Pharma, and the most successful end up treating big crowds.

The orphan-billionaire reflects the gulf between the old medicine and the new. While new and improved on other matters, the orphanage still defines disease from the top down—pimples aren't cancer, bone cancer isn't gut cancer, and tense blood isn't flaccid sex. The biochemists who fit drugs to diseases look for a common molecular problem lurking underneath, and if the same problem lurks under seven diseases, Gleevec earns seven-orphan profits. The biochemists also know that if a serious two-bad-gene disease hits 200,000 Americans, a milder one-gene version of the disease will hit 15 million, and that helps attract investors. Designer science doesn't just pull diseases apart; it can also pull them back together, albeit in weird new ways.

So the 1962 brain is still there, too, but the FDA has grown a new brain alongside it. Billionaire drugs for common, not-too-serious ailments still creep like unwilling snails through Rogaine brain; orphan-billionaire drugs for rare and serious diseases glide through the lobes of Gleevec. In Gleevec brain, solitary doctors and corporate behemoths pursue biochemical hunches, old and new, and the FDA eggs them on. A drug gets prescribed wildly off-label, to treat diseases that at first glance seem to have nothing in common, and the FDA waves this by. Gleevec brain takes the FDA back to its childhood. Performing as promised—a requirement dating back to the 1906 truth-in-labeling law that created the FDA—gets the drug licensed. Nailing down safety—the requirement first codified in 1938 and relentlessly expanded after 1962—comes later.

The sequencing of a first human genome (with 6 billion and counting to go) wasn't finished until 2003, and the FDA's Gleevec brain is still under construction. It will take some years for drug companies to assimilate the new science, new rules, and new economics. Then the dam will burst. One recent estimate suggests that 6,000 diseases that collectively threaten 25 million Americans qualify as orphans, and new links between genes and disease are discovered almost every day. About 1,400 orphan drugs have been certified, over 280 have been licensed, and they have been used to treat over 14 million patients since 1983. Far more drugs will be required to treat uncommon genetic diseases that aren't quite rare enough to qualify as orphans—roughly speaking, flaws that show up (as single copies) in more than 5 percent of Americans. And countless other genetic differences will be implicated in side effects, driving still more fragmentation in the pharmacy. Gleevec apparently works less well in patients with too much of a protein called IGF-1R.

If the law lets them, biochemists will design and bottle as many potent, dangerous drugs as it takes to span the vast breadth of human diversity and all the forever mutating microbes that afflict us—which, of course, means that the biochemists will be at it forever. Potent drugs because they are perfectly designed to jigger one key molecule in the molecular infrastructure of life. Dangerous because they go after such delicate, important stuff. And safe only when prescribed to exactly the right patients. Designed drugs are intensely discriminatory.

And also not discriminatory at all. Saquinavir doesn't care a fig about sexual orientation; it hates HIV protease and nothing else. And if—as now appears likely—seven other protease inhibitors, each slightly different, hate hepatitis C, herpes, the common cold, or a key link in the chemistry of osteoporosis, inflammation, strokes, or Alzheimer's, the hatred won't hinge on standard forms of bigotry. BiDil, the drug for "self-identified black patients," didn't sell and was withdrawn three years after it was licensed. Its backers blamed racial bias in the health-care system. The next BiDil will be for people who match a color-blind biochemical profile diagnosed by a dipstick.

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. . . better known as AZT

The future is also economically indiscriminate, because copying knowledge is so cheap, even when it's printed in chemistry. People with biochemical profiles not yet covered by good drugs are victims of our collective ignorance, not their individual poverty. New knowledge, the main economic ingredient of every drug, ends up shared for free with everyone when the patent expires.

No clinical trial can prove that researchers, drug companies, doctors, and patients should be allowed to communicate and collaborate freely, that academics should be permitted to patent drugs developed under federal grants (as yet another Reagan-era law allows), that drug patents in general should be strengthened, that more drugs should be declared orphans, that more should be fast-tracked, that me-too drugs should be welcomed, that patients and doctors should be given even more discretion, and that we should celebrate dipsticks and digital networks that tell small groups of patients what they need and mobilize them to fight for it.

Nor can it be denied that this agenda has an ideological slant. It favors dispersion of information, authority, and economic interest. It relies less on electing drugs in national referenda run from Washington, and more on town meetings convened by biochemists and doctors. It benefits those who add their own intelligence to the drug's and endangers those who don't. It requires our parents to pay more for patented pills today, to get cheap generics to their grown children and new and better drugs to their grandchildren. It accepts that even while still under patent, medicine brewed by the vat with Wall Street's money provides far more health care, far more cheaply, than any alternative.

In support of this agenda we can, however, invoke the biochemical logic of drugs and patients. The patient's chemistry matters as much as the drug's. Americans are biochemically diverse. Only so much can be learned at the Mayo Clinic; the rest has to be learned from patients whose chemistries weren't invited to the trial. Trying to invite them all leads to quagmire and stifles learning before it begins. Getting from where we are now to universal care at the pharmacy will involve far more information than Washington can ever hope to assimilate. □

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Pre-K *Can* Work

Needy kids could benefit, but only if we use proven pedagogy and hold programs accountable.

NATIONAL INSTITUTE FOR DIRECT INSTRUCTION

Shepard Barbash

Anyone who has taught young children knows how daunting it can be to keep the attention of a roomful of four-year-olds, much less teach them anything. Parents and taxpayers thus have reason to worry that the federal government, having spent hundreds of billions of dollars trying to improve the nation's public schools—with little to show for it—is under growing pressure to spend billions more on a mission even more fraught with peril: helping states create and support high-quality preschools.

With 38 states funding prekindergarten programs last year and more than 1 million children attending them—both all-time highs—congressional leaders in Washington are sponsoring various proposals to make these programs bigger and stronger. In June, Democratic presidential candidate Barack Obama proposed "investing $10 billion to guarantee access to quality, affordable early-childhood education for every child in America," and his campaign website features a call for "Early Learning Challenge Grants" to help states "move toward voluntary, universal preschool." Senator Hillary Clinton's Ready to Learn Act, cosponsored by Missouri Republican Kit Bond, would provide states with "such funds as may be necessary" to offer full-day voluntary preschool for four-year-olds, with priority given to those who are poor or unfamiliar with English. Hawaii Democratic congresswoman Mazie Hirono's Pre-K Act would deliver states $1 billion annually for six years to strengthen existing pre-K programs.

Two powerful forces are driving the push for universal pre-K: the growing percentage of working parents who want help raising their kids and the

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Education reformer Siegfried Engelmann's content-rich approach, Direct Instruction, . . .

growing belief that preschool prepares children for school and for life. The clamor for Congress to act may prove irresistible. Unfortunately, the current legislative proposals are misbegotten products of a field struggling to extricate itself from decades of pedagogical superstition and, as such, will almost certainly benefit providers more than the children they aim to serve. Middle- and upper-class kids might fare as well (or better) staying home. Congress would do more good with less money if it focused its pre-K efforts on disadvantaged children, emphasized pedagogical approaches proven to work (in pre-K and beyond), and held programs accountable for results.

Unlike K–12 education, pre-K and its forerunner, nursery school, arose in the early twentieth century with little help or hindrance from government. Concern about the lagging academic achievement of the poor, however, prompted the Johnson administration to create an eight-week summer session for poor children set to enter elementary school in the fall of 1965. These kids, it was hoped, would benefit from an educational "head start." One of the most enduring of Johnson's Great Society programs, Head Start has grown into a $7 billion per year entitlement that (with its offshoots, Even Start and Early Head Start) gives grants to public, private, and nonprofit agencies to provide nutrition, health, and education services year-round for poor children up to five years old and their families as well. Head Start centers today employ a staff of 220,000 and enroll roughly 1 million children, with many more on waiting lists.

The states, for their part, have moved into preschool primarily via the public schools. Some states, like Georgia and Oklahoma, now offer pre-K to all children. Others, like Texas, target assistance to low-income families. Total investment in pre-K by the states grew from $970 million in 1992 to $3.72 billion, or about $3,642 per child enrolled, in 2007.

The strongest case against spending even more public money on preschool is the disappointing return on such investments so far. Well-designed evaluations of Head Start and state-run

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programs have found that children attending them show only modest gains in academic or social skills—and none that endure for long—compared with peers who stay home or go to child care. A large-scale study of Head Start by the Department of Health and Human Services compared the progress of about 5,000 three- and four-year-olds, all from poor families, some enrolled and some not enrolled in the program. Children in Head Start did no better than the control group on assessments of the skills that best predict academic success, including oral comprehension, vocabulary, and math. Both groups remained on average far below national norms in every important measure of cognitive ability. The most rigorous studies of state programs likewise have yet to demonstrate that the academic gains from pre-K show up later in the form of improved scores on states' early elementary school reading tests, typically given in third or fourth grade.

This persistent failure deserves some sympathy. In their 1995 book, *Meaningful Differences in the Everyday Experience of Young American Children*, researchers Betty Hart and Todd Risley quantified a language deficit in young children from welfare families so vast that it's hard to conceive how even the best preschool might erase it. By age three, the authors found, children from families headed by parents who were professionals had heard, on average, over 8 million more words than children from welfare families. The kids themselves had spoken over 4 million more words than the welfare children. The oral vocabularies of the professional-family kids exceeded those not just of the children but of the *parents* of the welfare families. This astonishing language gap has grim consequences: follow-up studies showed that it correlates closely with large deficits in vocabulary and reading ability at age nine—which, in turn, correlate with large deficits in the reading ability, and consequent prosperity, of adults.

We should temper our compassion for the overwhelmed Head Start and pre-K teachers, however, by recognizing that they have not only failed to close the education gap but have done much over the years to widen it. Like those who practiced medicine 200 years ago, most early-childhood educators demonstrate little regard for scientific findings and base their classroom efforts on theories and personal preferences that empirical evidence has repeatedly contradicted.

Central to the typical early-childhood educator's worldview are three ideas: that it's better for young children to learn through play than through work; that children learn best and are happiest when they can help direct the pace and content of their own learning; and that a child's mental abilities develop at a natural pace that adults cannot do much to accelerate. If a child fails to learn something, it's not because the teaching is faulty, in this view; it's because the child is either "learning disabled" or not yet "developmentally ready" to learn it—a notion derived from the theories of Swiss psychologist Jean Piaget, who believed that mental abilities developed in age-determined phases.

From these premises flow a host of others. Pre-K teachers learn that it's not "developmentally appropriate practice" to seat children at desks; to give them worksheets; to make them work to master the alphabet, letter sounds, and math; to assess their academic skills (medical, dental, and nutrition assessments are okay); and to group them by skill level for instruction (because all children should receive equal treatment and because children learn as much from one another as they do from adults). Many things that parents would call common sense are, for the preschool professional, high-risk activities.

No amount of contrary data has been able to dislodge this constellation of beliefs, which afflicts not just pre-K but elementary education as well. The largest experiment ever to compare different approaches to instruction in the early grades, sponsored by the federal government in the 1970s and known as Project Follow Through, tracked more than 75,000 K–3 students. It found that only one of the nine methods examined—the one least in keeping with educators' traditional views—had consistently accelerated the academic achievement of poor children. The least successful approaches all shared the prevailing ideas. And if an approach fails in kindergarten, you can bet that it will fail in pre-K, too.

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But Follow Through's results proved too unpopular for the government to act on. Hence the same flawed ideas continue to absorb public funds and drive the training, accreditation standards, and state policies that shape today's Head Start, pre-K programs, and elementary education. One can infer their ongoing failure from the lagging academic performance of children from poor families, nationally and in states like Georgia and Oklahoma, which have funded universal pre-K for years.

The one approach that Follow Through found *had* worked, Direct Instruction, was created by Siegfried Engelmann, who has written more than 100 curricula for reading, spelling, math, science, and other subjects. Engelmann dates DI's inception to an experiment he performed at the University of Illinois at Champaign-Urbana in the summer of 1964. He took two groups of three- to five-year-olds—one white and affluent, one black and poor—and tried to teach them "sophisticated patterns of reasoning. . . . things that Piaget said couldn't be taught before the age of formal operations—around 11 or 12." These things included concepts like relative direction (A is north of B but south of C) and the behavior of light entering and leaving a mirror. Both groups learned what Piaget said they couldn't at their age. But to Engelmann's consternation, the affluent kids learned faster. He traced the difference to a severe language deficit in the African-American group (the deficit that Hart and Risley later quantified) and resolved to figure out how to overcome it.

"The preschool found that kids *enjoyed* learning 'hard things' and gained confidence as they gained skills."

Engelmann and two colleagues, Carl Bereiter and Jean Osborn, went on to open a half-day preschool for poor children in Champaign-Urbana that dramatically accelerated learning even in the most verbally deprived four-year-olds. Children who entered the preschool not knowing the meaning of "under," "over," or "Stand up!" went into kindergarten reading and doing math at a second-grade level. Engelmann found (and others later confirmed) that the mean IQ for the group jumped from 96 to 121. In effect, the Bereiter-Engelmann preschool proved that efforts to close the achievement gap could begin years earlier than most educators had thought possible. The effects lasted, at a minimum, until second grade—and likely longer, though studies on the longer-term effects weren't performed.

The school also found that kids *enjoyed* learning "hard things" from adults and gained confidence as they gained skills. The key was to design the instruction carefully enough so that it worked even for the disadvantaged child—and to blame (and judiciously revise) the instruction, not the child, when the instruction failed. This approach in turn meant trampling the most sacred myth of the profession: that teachers always know best how to teach their kids, and hence deserve wide latitude in the classroom. Unlike other curricula, Direct Instruction programs tether teachers to a tightly scripted sequence of interactions. Engelmann's field testing found that the scripts were the best way to prevent teacher miscommunications that could confuse the student. The scripting also improves efficiency: DI lessons consume an hour at most of the preschool day.

Engelmann's results at the University of Illinois were replicated during the 1970s and 80s at nine sites across the country. Yet despite these successes, DI has faced little but scorn, neglect, and incomprehension from the educational establishment. Few education schools teach Direct Instruction techniques, except for special-ed classes, and few preschools or K–12 schools use DI curricula. None of the early DI preschool sites survived the whims of changing leadership, and Engelmann says that he knows of 200 places that improved student achievement after adopting DI, only to relapse after a

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new principal or superintendent capriciously dropped the program.

One site that has endured is Hampstead Hill Academy, a public charter school (pre-K to grade 8) operated by the Baltimore Curriculum Project, a nonprofit organization specializing in Direct Instruction. Stephanie Brown has taught DI math, reading, and language curricula there for ten years, the last five in all-day, state-funded pre-K. Eighty percent of her students come from poor homes, more than half are African-American or Latino, and one-third are immigrants still learning English. Many arrive not knowing how to hold a pair of scissors, use pronouns, speak in complete sentences, or follow simple directions. By the end of the school year, they have learned to sort objects into classes, identify opposites, recognize logical absurdities, use synonyms and if/then statements, create definitions for objects, read simple sentences, and do simple addition problems.

Brown breaks the rules of her profession. In the first months of school, she teaches her four-year-olds to sit at desks, work independently on exercises with pencil and paper, and concentrate for up to 30 minutes at a stretch (twice each morning) as she delivers the fast-paced DI lessons, one each for language and math. During DI time she breaks the class into three groups, arranged by skill level, to teach them more efficiently. She corrects mistakes quickly, firmly, and consistently.

"We're going to start off with something really hard, but I think you can do it," Brown says, beginning a math lesson that I observed in June. Seven children sit in a semicircle around her. Nine others are at their desks, cutting out, coloring, and ordering pictures of the life stages of a butterfly. Two others get extra practice on a language lesson with Brown's assistant near the door.

"Read this," Brown says, pointing at the "+2" written on the blackboard. "Everyone, get ready." Following the script, she signals with her hand, and seven voices in unison say: "Plus two!" The simultaneity of response, a feature of all DI programs, instantly lets her know whether all her students are learning what she is trying to teach without having to take the time to call on each one individually.

"Very good! *Plus two* means the number that is two more. So, four plus two equals what number? Everyone . . ."

"Six!" they all shout.

The lesson lasts 20 minutes, after which the children return to their clusters of desks and five others take their place for a lesson from "Language for Thinking," another DI curriculum. The transition takes no more than a minute. Each DI lesson reinforces and extends several strands of knowledge and skills that the children have learned in earlier sessions. Today's language lesson includes work on the calendar, verb tenses, absurdities, questioning skills, definitions, opposites, and articulating descriptions.

"Get ready to answer some questions about a pair of scissors," Brown starts. "Can you use a pair of scissors to cut paper?"

"Yes!"

"Can you use a pair of scissors to cut string?"

"Yes!"

"Can you tear scissors into little pieces?"

(Laughter.) "No!"

"Listen to this story and figure out what's wrong with it. There was a woman. She wanted to wash the dishes, so she got out a broom."

She calls on a little girl who points out the absurdity.

The least advanced group comes up for a lesson in "Language for Learning," the program Engelmann wrote to address the language deficit in poor children. The focus today is on calendar facts, opposites, and similarities.

"Name the 12 months of the year," Brown says.

The group answers correctly in unison.

"The story made us feel sad. Now say the sentence that tells the opposite."

"The story made us feel happy."

"I'm thinking of a broom and a hammer. How are they the same?"

One girl answers: "They both have handles."

"Very good. How are they different?"

A boy says: "A hammer hurts you when it hits you, and a broom doesn't."

FRANK HOEY/HAMPSTEAD HILL ACADEMY

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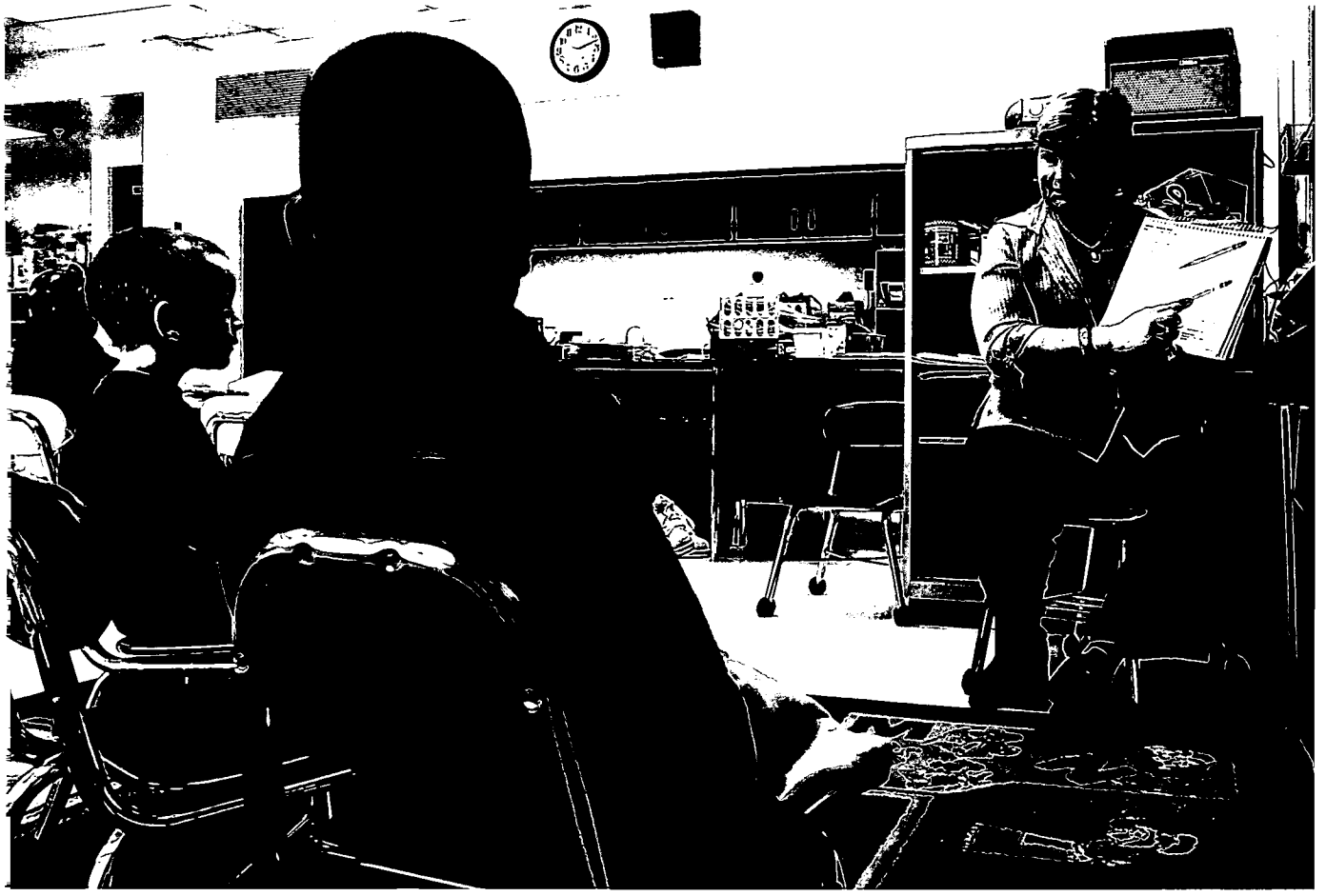

. . . has produced real gains in pre-K classrooms like this one in Baltimore's Hampstead Hill Academy.

Brown does DI lessons in the morning when the children are fresh. The rest of the day is devoted to standard pre-K fare: art, music, free play, gym, story time, and theme-based centers where students get to choose their activities, such as playing with blocks or kitchen utensils. "The children aren't stressed out—they feel like the smartest kids on the planet," Brown says. "Even the ones with behavior problems—it settles them."

Direct Instruction rests on key findings in educational research. Children, particularly from poor homes, need lots of oral practice to master language and reading, studies have shown—hence the high number of responses-evoked-per-minute built in to DI curricula. Research has also confirmed that it's possible to teach three-year-olds to hear and manipulate the individual sounds, known as phonemes, that make up words. Further, by three, most can learn to distinguish words that rhyme, and by four, they can understand the concept "letter" (that marks on a page correspond to specific sounds), learn the alphabet, and hear alliterations and syllables. Most middle-class children acquire these essential "pre-reading" skills—known collectively as phonological awareness—in the normal course of their upbringing. Most children in poverty and children with hearing deficits must be taught them explicitly, as DI does.

But the most significant—and least appreciated—research finding that justifies DI's intensive, prescriptive approach remains Hart and Risley's data on the language gap. "Time is the great enemy of the at-risk child," Engelmann says. "He must learn more in less time, he is less experienced at learning, and he needs more practice. You can't reproduce the *form* of the middle-class upbringing; you've got to try to reproduce the function. That means teaching kids the *fast way*."

The great stone in the road to a better preschool, in fact, is the dominance of pedagogical programs that *don't* show teachers how to teach oral language and phonological awareness the fast way. The most popular, Creative Curriculum, controls about half the Head Start market. Another big seller is High/Scope. Absent major changes in how curricula get developed and approved for use in schools, these giants are about as likely to lose significant sales to the likes of DI as Budweiser is to get beaten by a microbrewery.

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So far, none of the 38 states funding pre-K has interfered with local decisions about curricula by, say, posting a list of programs that have passed rigorous field tests (or even by requiring such tests)—let alone by requiring districts that take state money to use them. Likewise, none of the studies of state pre-K programs has even compared the effects of competing curricula on student outcomes.

The other hole in the nation's pre-K system is assessment, still a dirty word in most pre-K circles. Congress eliminated the Head Start National Reporting System, a series of cognitive tests given twice a year to Head Start children, after critics argued speciously that the tests ignored socio-emotional development and that the questions weren't age-appropriate. Of the $3.72 billion spent by states last year on pre-K, almost nothing went to assessing children's cognitive functioning or monitoring their progress against established norms. Without such data, states cannot set meaningful performance standards, much less hold districts accountable for meeting them.

Indeed, the nonprofit National Institute for Early Education Research doesn't even include assessment in its ten-item Quality Standards Checklist, a popular tool for judging state pre-K programs. This is like appraising a painting with your eyes closed. The better curricula, DI included, build checkups in to their programs—another reason many educators don't like them.

If the early-childhood education industry has persuaded states not to assess preschool children, monitor their progress, prescribe rigorously field-tested curricula, and evaluate the impact of individual preschools on student achievement—and if the state agencies don't know how to do these things any better than the pre-K field from which their leadership is largely drawn—what *can* we expect the states to do to make early-childhood education more educational? Not much at this stage.

None of the bills in Congress is likely to increase rigor. Hirono's Pre-K Act and Clinton and Bond's Ready to Learn Act would support state plans that require "culturally and linguistically appropriate" curricula that meet the child's "developmental needs" and are taught by teachers with degrees in early-childhood education or related fields. Either proposal would thus probably wind up spending a fortune perpetuating the fanciful doctrines that still dominate early-childhood education programs: the root of the weed.

The good news is that there are data-driven educators scattered in schools across the country, and even within a few state education agencies, who would be natural allies in a crusade for better pre-K. Alabama, Washington State, Arizona, and the federal Bureau of Indian Education have all built strong leadership in Reading First, the federal program targeted at poor children in K–3 that requires teachers to use research-backed practices. Officials there could gradually extend the use of effective curricula to pre-K. Another way to find allies is to ask vendors of the better curricula for sites that are doing well with their products. Bremerton School District in Washington State and Versa Reece Academy, a public school in Houston, both operate rigorous, data-driven preschool programs for poor children. But such areas remain in the minority.

If the philanthropists now investing in pre-K (more than $1 billion per year, by some estimates) want to try something radical, they might start a preschool modeled on Paul Weisberg's now-defunct Early Childhood Day Care Center for at-risk kids in Tuscaloosa, Alabama. Using teachers who didn't even have a college education, Weisberg ran a DI preschool that produced impressive student achievement gains in reading and language for a decade, vividly demonstrating that what pre-K providers need most is good training in good curricula, not (as governments are now hearing) degrees in early-childhood education.

Even teachers with fallacious assumptions want to succeed and are generally eager to learn new ways to help their kids. Wise policymakers can promote the ways that work, and wise parents can insist that teachers use them. We cherish our myths about childhood. We must cherish our children even more. ■

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Reparations, R.I.P.

Cause of death:
9/11, public opinion,
and the courts

Walter Olson

Just a few years ago, at roughly the turn of the millennium, slavery reparations seemed the coming thing. A June 2001 *New York Times* article reported that the movement to obtain compensation for slaves' descendants had "taken on substantial force" and was "gaining steam" both in the nation's universities, abuzz with rallies and study committees, and in the black community generally. All the major black organizations had signed on, including the NAACP, the Urban League, and the Southern Christian Leadership Conference. Randall Robinson's *The Debt: What America Owes to Blacks* had hit bestseller lists in 2000, announcing in impassioned tones the need to rectify "America's crime against us," a "black holocaust" that was "far and away the most heinous human rights crime visited upon any group of people in the world over the last five hundred years." True, whites outside the campus remained heavily opposed, but after the United Church of Christ became the first big multiracial denomination to endorse the notion and the *Philadelphia Inquirer* called for the creation of a national reparations committee, it was only a matter of time before more whites came on board. Many state and local Democratic politicians started to talk up the idea.

Then: nothing. Today, reparations seem to have completely disappeared from the national agenda. Few mention them any more. What happened?

The idea of reparations for blacks had briefly come up at the time of the Civil War and Emancipation, but then was largely forgotten until the heady year of 1969, when it burst forth again. Black militants, led by James Forman, began disrupting Sunday services in leading churches and demanding a down payment of $500 million on future reparations. Much earnest discussion ensued: the *New York Review of Books*, the era's bulletin board of fashionable radicalism, reprinted Forman's manifesto. A few reactions were tarter, like that of black civil rights activist Bayard Rustin, writing in *Harper's*: "If my grandfather picked cotton for 50 years, then he may deserve some money, but he's dead and nobody owes me anything."

The brouhaha soon died down, but it inspired liberal Yale law professor Boris Bittker to write *The Case for Black Reparations*, a book that appeared in 1973 and remains well worth a look 35 years later. Bittker examined closely, but in the end dismissed as unpromising, the idea of filing lawsuits over blacks' past maltreatment. For starters, he noted, the jurisprudential

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tradition disapproved of attaching liability to actions that *were* lawful or required by law when they happened. Also, many claims would fail for lack of a reasonably direct and "particularized" link between the misconduct of a specific defendant and the injury suffered by a specific plaintiff. Statutes of limitation would dispose of most of the rest. Suing state governments that had maintained Jim Crow ran into further obstacles, arising from the age-old doctrine known as sovereign immunity, which (generally) provides that one can sue governments for cash damages only with their consent.

For Bittker, it made sense to pursue reparations not through litigation but through legislation funded from government revenues. And in the years that followed, the U.S. in a way did just that, with a vast increase in spending on social welfare, education, housing, and urban programs, which aimed primarily at relieving the problem of black poverty, though they didn't make race a prerequisite for eligibility. On top of that spending, the nation enacted entitlement programs that were explicitly compensatory and race-based, including race-conscious student assignment in public schools, systematic racial preferences in employment and higher education, and much more.

By the time reparations enthusiasm hit the law schools in a major way during the late eighties, the old-school liberalism of professors like Bittker had given way to the newer deconstructionist vogue of critical legal studies and its even more radical successor, critical race theory, which infused the study of law with a heavy dose of identity politics and which viewed all the legislated help for blacks as woefully insufficient. Over the next decade, critical race theory made reparations one of its signature causes; indeed, a large share of the reparations movement's intellectual leadership has come from the law schools. The new advocates weren't opposed to legislated compensation programs. But they reserved most of their passion for the very alternative that Bittker had ruled out as too chancy, acrimonious, and difficult: lawsuits against private parties.

Perhaps the new academic reparationists' most distinctive contribution was to try to establish links between slavery and private actors not widely regarded as tainted by it—the more respectable, forward-minded, and non-Southern these institutions, the better. Thus it came to light that some New England insurance companies in antebellum days had collected premiums from slaveholders for policies written on slaves' lives. Northern newspapers had published classified ads announcing slave auctions and seeking the recapture of runaways. And elite universities like Harvard and Brown had received major financial benefactions from slaveholders and traders. As revelations of this kind emerged—some institutions, self-critically, did the digging and reporting themselves—a number of businesses and universities issued apologies or pledged increased donations to black causes.

Large corporations' slavery links proved especially plentiful because so many of today's banks, railroads, and industrial concerns had built themselves up from hundreds of smaller predecessors around the country; to score a reparations "hit," you simply had to tag one of those earlier, absorbed, firms. The Wachovia banking empire, for instance, got started in 1879, 14 years after the ratification of the Thirteenth Amendment, and might at first glance seem innocent. But over the years it agglomerated into itself, through merger and acquisition, the remains of about 400 earlier institutions, among them—bingo!—the slavery-compromised Bank of Charleston and Georgia Railroad and Banking Company.

If that tactic didn't work, how about this one: might not a Northern business have profited by its precursors' handling or use of slave-produced products, such as the rice, sugar, tobacco, and turpentine that traveled around the world? Or perhaps it numbered among the "shipbuilders, sailors, ropemakers, caulkers, and countless other northern businesses that serviced and benefited from the cotton trade," as Robinson put it. Almost every business would be "guilty" in one way or another, one researcher explained, because "how you connect a company to slavery is more a political [notion] than a historical one."

This quest for generalized guilt made reparations come alive for university students and

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Demonstrations like this one outside the offices of the New York Life Insurance Company had become scarce by 2002.

other potential allies of the movement, and it made excellent copy for the press, providing ready-made controversy in which some stuffy institution would squirm at the exposure of its ignoble past. It also helped undermine what some saw as the irritating smugness of many whites whose forebears had never resided in the South or owned slaves. The more institutions remote from Southern history could be linked to slavery, the more seeming bystanders—the Rhode Island bank teller, the railroad employee in Colorado, the Seattle engineer descended from recent immigrants—could plausibly be portrayed as undeserving inheritors of "white privilege." It remained true, as in Bittker's day, that drastic stretching of old legal concepts would be necessary before private businesses, landowners, or families would have to pay anything. But by the nineties, proposals to open up unheard-of forms of liability via such conceptual stretching had become standard fare, applauded and encouraged in the law schools—and the courts were by no means immune to shifts in elite and public opinion. Plus, after a long delay,

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reparations claims arising from World War II atrocities had started coming to court. Many felt that these suits would serve as a precedent for the revival of claims older still.

In late 2000, the seemingly most impressive advance yet for reparations appeared: the unveiling of a new project called the Reparations Assessment Group, which would ready lawsuits against defendants both public and private. Its roster of participating lawyers included some of the country's most feared plaintiffs' attorneys, such as Mississippi tobacco veteran Richard "Dickie" Scruggs and O. J. Simpson defender Johnnie Cochran, Jr. The committee would partake of the prestige of Harvard Law School as well, boasting as its director Harvard law professor Charles Ogletree, who ran the school's clinical programs. "Litigation will show what slavery meant, how it was profitable and how the issue of white privilege is still with us," Ogletree told the *New York Times*. Another lawyer involved, Alexander J. Pires, Jr., was even more enthusiastic. "This will be the most important case in the history of our country," said Pires, who had earlier won a $1 billion settlement for black farmers allegedly shortchanged by U.S. Department of Agriculture programs.

No one knew exactly how big the suits would be, but the dollar sums mentioned started in the trillions and quickly climbed. *Harper's* published an estimate of $97 trillion, which would require extracting, on average, approximately $300,000 from every American of non-slave descent. Here and there a dissenting voice spoke out, saying that it was unfair to saddle present-day defendants with the guilt of their ancestors. But the debate seemed to be leaving such views behind. "Just because slavery ended over a hundred years ago doesn't excuse them," said reparations lawyer Deadria Farmer-Paellmann.

Meanwhile, reparations advocates began to get legislative help, mostly—but not exclusively—in lawmaking bodies where black votes were pivotal. A near-unanimous Chicago city council passed an ordinance requiring companies wishing to do business with city hall to disclose past ties to slavery, the better to fuel hoped-for legal action, and similar measures passed in Detroit, Los Angeles, Milwaukee, and Philadelphia. California lawmakers directed the University of California to conduct research linking the state's modern economy to the efforts of slaves, again seeking to ease the way for litigation. Advocates began to talk of legislative action to reopen lapsed statutes of limitation.

So confident were reparationists of success that they began to map out how the court-ordered reparations would be spent. Robinson believed that in addition to facilitating such benefits as free college tuition for blacks, a trust fund should "generously" support "broad civil rights advocacy" as well as "the political work of black organizations." A George Washington University law professor proposed awarding reparations plaintiffs part ownership, in the form of stock shares, of the corporations they sued.

The attacks of September 11, 2001, broke this momentum with an abrupt jolt. It wasn't just that for quite a few months thereafter, Americans of all races preferred to discuss issues unrelated to reparations; it was also that some of the persistent themes that ran through those days, such as national unity, individual heroism, mutual dependence, and the implications of mortality were at cross-purposes with the reparations narrative. According to LexisNexis, U.S. newspapers and wire services ran nearly 2,600 stories including the words "slavery" and "reparations" in the year leading up to 9/11. Since then, the yearly average has been under 1,000.

The issue did resurface briefly in the press in the spring of 2002, with the filing of a reparations suit that demanded $1.4 trillion from eight major corporations, including Aetna, FleetBoston Financial, and the railroad concern CSX. But the suit wasn't a product of the big-name Reparations Assessment Group. Instead, Farmer-Paellmann had filed it, reportedly having grown impatient with the failure of the high-profile project to act.

It probably hadn't acted because the hoped-for mobilization of public opinion had hit a wall. Editorialists and liberal churchmen aside, a

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vanishingly small share of whites supported the idea—5 percent in one poll, 4 percent in another—while those opposed routinely topped 90 percent. The administrator of a survey in Alabama called reparations the most racially polarizing issue the pollsters had ever asked about, and added: "The mere mention of reparations and an official U.S. government apology for slavery—another issue addressed in the poll—caused many white respondents to get so angry that they had trouble completing the interview." It became clear, too, that a substantial sector of black opinion quietly opposed reparations—and sometimes not so quietly, as when well-known author Juan Williams slammed it as "a dangerous, evil idea [that could] take American race relations on a crash course."

"Editorialists and liberal churchmen aside, a vanishingly small share of whites supported the idea of reparations."

Given the reparations movement's collapsing fortunes, it wasn't surprising that in 2004, Democratic presidential nominee John Kerry—overwhelmingly favored by African-American voters in his race against George W. Bush—flatly rejected the idea as divisive, and did so in a discussion at historically black Howard University. Not long before, such a statement might have provoked days of controversy in the press. Instead, it drew only incidental notice. What's more, Kerry's words drew "marked applause" from his largely black audience. Since then, the only White House hopefuls with a kind word for reparations have been oddballs Dennis Kucinich and Ralph Nader.

Once the push for reparations moved past historical introspection to lawyering-up, the business community's stance hardened as well. After the initial semi-voluntary flurry of acknowledgments of antebellum links—which had earned for several big businesses the honor of being defendants in the Farmer-Paellmann suit—other firms became reluctant to open a similar window onto their pasts or, indeed, speak to the issue at all other than through counsel.

And as a legal matter, the reparations claims proved desperately weak. Consider the seemingly precedential claims arising from atrocities in wartime Europe. The press had generally assumed the legal merit of these suits, which did have several crucial advantages over slavery claims, most obviously that they arose from mistreatment of persons still or recently alive. Yet they mostly went nowhere before actual judges. Thus a federal judge threw out four high-profile class actions over slave labor in Nazi Germany, ruling that a postwar treaty had already addressed and resolved such claims and that to reopen the question by judicial fiat "would be to express the ultimate lack of respect" for the work of Truman-era U.S. policymakers. (Some of the European suits won sizable settlements without going to trial; that, however, had much to do with their targets' fear of political sanctions and continued bad publicity, as distinct from actual court rulings.)

In 2005, a federal judge briskly tossed out the Farmer-Paellmann and related reparations suits, in a decision largely upheld by the Seventh Circuit the next year. The suits failed on exactly the grounds that one would predict: standing (those injured were the plaintiffs' ancestors, not themselves); the "political-question" doctrine (decisions on how best to clean up after the Civil War were best entrusted to the other branches, not the judiciary); and, inevitably, the statute of limitations.

For most newspapers, the suit's dismissal was a back-pages story; everyone had moved on. To the extent the reparations movement had used its brief time on stage to encourage national introspection, Americans had reached a different conclusion from the one that the activists had hoped for—a rough consensus, in fact, that whatever the right approach to the nation's perennial problem of race relations might be, ventures into anger-mongering and random expropriation weren't it. □

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The (Really) Moderate Muslims of Kosovo

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MICHAEL J. TOTTEN

The world's newest country is a model of Islamic tolerance.

Michael J. Totten

On February 17, 2008, Kosovo declared independence from Serbia, becoming the newest country in the world—and one of the most unusual. Most of its citizens are Muslim, an oddity in Europe; further, unlike most Muslim-majority nations, Kosovo is overwhelmingly pro-American, and its relations with Israel are excellent as well. No Arab countries have recognized the new nation's existence yet, and only Saudi Arabia has said that it will. Perhaps this isn't surprising, since Kosovars differ more radically from their brothers in the Arab world than any other Islamic people on earth.

Most of this difference is probably news to distant observers. Kosovo lies in the former Yugoslavia on Europe's Balkan peninsula, a distant corner of southeastern Europe where relatively few travelers venture. The fog of war never really lifted after the combatants' guns fell silent in 1999. The grievances that animated the warring parties seemed inscrutable to many Westerners, who often didn't understand why Western powers got involved in the first place. Yet despite their obscurity, Kosovars today stand as a rebuttal to the notion that Muslims will be forever shackled to authoritarian rule and wedded to war with the modern, pluralistic "Other."

About 90 percent of Kosovo's 2 million inhabitants are ethnic Albanians; 7 percent are Serbs. Of the Albanians, about 3 percent are Catholic, and all the rest are at least nominal Muslims; the Serbs, meanwhile, are all Orthodox Christians.

Not a burka in sight

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Kosovars, among the most pro-American people in the world, have built the Hotel Victory in Pristina . . .

Against this backdrop, many observers interpreted the Balkan wars that tore Yugoslavia to pieces during the 1990s as an inevitable resurgence of ancient hatreds in a post-Communist ideological vacuum.

But the truth was that Serbian nationalists, led by Yugoslavian dictator Slobodan Milošević, had deliberately crafted their own ethnic nationalism as an ideology to replace Communism, seeking to retain power and seize as much territory as possible as the Yugoslav federation unraveled. On June 29, 1989, just a few months before the Berlin Wall fell, Milošević delivered a thunderous speech to throngs of budding Serbian nationalists in the Kosovar village of Kosovo Polje. Exactly 600 years earlier, on the nearby Field of Blackbirds, the Turks had defeated Serbian ruler Tsar Lazar in an epic battle, ending the sovereignty of Serbia's medieval kingdom and beginning its absorption into the Ottoman Empire. "No one will ever beat you again," Milošević promised his audience.

Ethnic conflict was relatively new to the area. "There have been many battles and wars in Kosovo over the centuries," historian Noel Malcolm writes in *Kosovo: A Short History*, "but until the last 100 years or so none of them had the character of an 'ethnic' conflict between Albanians and Serbs. Members of those two populations fought together as allies at the battle of Kosovo

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ALBERTO MENA

in 1389—indeed, they probably fought as allies on both sides of that battle."

Nevertheless, Milošević used the ancient grievance, along with others both real and imagined, to kindle Serbian nationalism—"a totalitarian ideology," as Serbian writer Filip David calls it. Three months after his speech at Kosovo Polje, Milošević revoked Kosovo's political autonomy and imposed an apartheid-like system on its ethnic Albanian majority. There followed three wars in the breakaway republics of Slovenia, Bosnia, and Croatia, and then a fourth of ethnic cleansing in Kosovo at a time when the United States and NATO were in no mood to tolerate any more violent destabilization in Europe. NATO bombarded Yugoslav targets for two and a half months in 1999 until Milošević capitulated and relinquished control of Kosovo to NATO and Russia.

Though Albanian nationalism is less ideological than Serbian nationalism, it, too, can express itself through ugly outbursts of violence. After ethnic Albanian refugees returned to Kosovo under NATO protection in 1999, some lashed out at Serb civilians, houses, and Orthodox churches. Another wave of anti-Serb violence broke out in 2004, following rumors that Albanian children had drowned in the Ibar River after being chased off by Serbs.

But this violence, like the 1999 war, rose out of ethnic tensions, not religious ones. These were fights not between Muslims and Christians but between Albanians and Serbs—and though, again, most Albanians are Muslim and all Serbs are Orthodox Christian, the distinction is crucial. Kosovo's Albanian Muslims and Albanian Catholics get along perfectly well with one another; in fact, during the war, they fought side by side. And in the later attacks, ethnic Albanian mobs burned Orthodox churches because they were Serb, not because they were Christian. Catholic churches weren't touched—because their congregations were Albanian. (This isn't a matter of anti-Orthodox sentiment among Muslims, either. Though no Albanian Orthodox Christians live in Kosovo, 20 percent of the population in Albania itself is Albanian Orthodox, and relations between them and the Albanian Muslim majority are perfectly fine.)

Some observers, especially in Serbia, have blamed the violence in 1999 and 2004 on Islamist jihadists. Those who live and work in Kosovo, and who are charged with keeping the peace, dismiss the allegation. "We've been here for so long and not seen any evidence of it that we've reached the assumption that it is not a viable threat," says Zachary Gore, a U.S. Army sergeant stationed in eastern Kosovo.

Kosovo's brand of Islam may be the most liberal in the world. I saw no more women there wearing conservative Islamic clothing—one or two per day at most—than I've seen in Manhattan. There is no gender apartheid even in Kosovo's villages. Alcohol flows freely in restaurants, cafés, and bars, where you'll see as many young women in sexy outfits as you'd find in any Western European country. Aside from the minarets on the skyline, there is no visible evidence that Kosovo is a Muslim-majority country at all.

"Here people are Muslims, but they think like Europeans," says Xhabir Hamiti, a professor in the Islamic studies department at the University

MICHAEL J. TOTTEN

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of Pristina in Kosovo's capital. "Muslims here identify themselves as Muslim Lite," an American police officer tells me. As Afrim Kostrati, a young bartender, puts it: "We are Muslims, but not really." And Luan Berisha, an entrepreneur, agrees: "We were never practicing Muslims like they are in the Middle East. . . . First of all, we are Albanians. Religion comes second."

Religion in Kosovo is a private matter, not a public one. "We never talk about it," Berisha says. "I just found out, one year ago, that a very good friend of mine is Catholic, and we have been friends for the last ten years." One Muslim woman tells me how startled she was when she attended a conference in Britain about young people who change the world. "I was shocked to find that the representative of the U.S.A. was a covered lady, originally from Iraq," she says. "And the representative from Canada was another, originally from Afghanistan." She herself was wearing shorts.

The reason for Kosovo's relaxed attitude toward religion lies in its history. Albanians, including those in Kosovo, are the descendants of ancient pagan Greeks and Illyrians; more recently, they were Christian before the majority converted to Islam under Turkish Ottoman rule. Their religion may be Eastern, but Albanians have been culturally European for all of recorded history. "The Greeks hardly regard them as Christians, or the Turks as Moslems, and in fact they are a mixture of both, and sometimes neither," Lord Byron wrote of them almost 200 years ago. "We Albanians," writes Catholic priest Dom Lush Gjergji, "descendants of the Illyrians, are Christians from the time of the Apostles. . . . Without Christianity there would be no Albanian people, language, culture, or traditions . . . Albanians consider Christianity their patrimony, their spiritual and cultural inheritance."

Kosovar Muslims talk the same way. In fact, the feeling is reflected in the Albanian national flag, which flies all over Kosovo, despite minimal support for a "greater Albania." Its black double-headed eagle is the seal of Gjergj Kastrioti Skanderbeg, who led the resistance against the Ottoman Empire in the fifteenth century. This national hero of a Muslim-majority country was Catholic.

Indeed, another sign of Kosovo's complex religious identity involves the "crypto-Catholics," those who just went through the motions of converting to Islam under the Ottomans. Kosovo's cemeteries hold many tombstones engraved with Muslim names yet bearing the Catholic cross. Even now, the crypto-Catholics' descendants are still "christened," so to speak, with Muslim names, and then baptized into the church.

Many Kosovars are starting to convert "back" to Christianity. Café owner Gazi Berlajolli ascribes the trend partly to American influence. "Most of these people were atheists and agnostics, but they don't want to be seen as atheist Muslims," Berlajolli adds. "So they needed to convert to something else. They want to be able to put 'Christian' on their pages on Facebook."

There is, however, a small group of radicals inside Kosovo who would like to transform moderate Balkan Islam into the much sterner Wahhabi variety practiced in Saudi Arabia. Several well-funded Saudis and other Gulf Arabs moved to Kosovo after the 1999 war to rebuild destroyed mosques and to impose Wahhabism on the decadent locals. Most ethnic Albanians across the political and religious spectrum in Kosovo resent these intrusions, partly because ornate Ottoman-style mosques destroyed by the Serbian military are being replaced with severe Wahhabi-style monstrosities, but also because hardly any Albanians seek guidance from the backward and authoritarian Arab world. "We don't call them Wahhabis here," a well-connected Albanian woman tells me. "We call them *Binladensa*, the people of bin Laden." In Kosovo, that isn't a compliment.

"We never had them before," a young Albanian journalist says. "We hear these rumors that they are paying people"—to visit mosques and cover their hair, that is. I can't confirm the rumor, but it's widely believed, and I heard it from almost a dozen people. If true, it means that even the tiny minority who are willing to adopt the outward trappings of conservative Islam will do so only if they're paid. If false, the fact that so many believe it reveals a broad contempt for rigid Arabic Islam and a belief that Albanian

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culture will not bend naturally to it. "You should see how the general public receives these people," says a Kosovo human rights official. "They certainly are not liked. I don't think they will succeed."

Wahhabis are encountering resistance from Kosovo's religious community as well as from its atheists and agnostics. "We are working very hard to stop these kinds of movements," says Hamiti. "These kinds of movements are dangerous for all nations, for the faiths, for all religions. The traditional Islam that has been cultivated in these areas is the best guarantee for the future. If we allow foreigners to come here and to push us to war with their ideas, then the situation will be out of our control."

"'We don't call them Wahhabis here,' an Albanian woman says. 'We call them *Binladensa*, the people of bin Laden.'"

Tellingly, Kosovo's only Islamist party got just 1.7 percent of the vote in the last election. Not even during the 1999 war, when ethnic Albanians were desperate for help, were Islamists welcome in Kosovo. Contrast this with Bosnia, which did accept help from mujahideen: after the European community imposed an arms embargo on all warring sides in Yugoslavia, leaving the barely armed Bosnians to twist in the wind, about 1,000 veterans of the anti-Soviet insurgency in Afghanistan streamed into the country. "In Kosovo," Berisha says, "they came to support us and we rejected them. . . . This is not jihad. We are not fighting for religion here. We are fighting for our freedom, for ourselves, and for our families."

It certainly helped that NATO stopped the fighting in Kosovo long before it could fester as it did in Bosnia. Still, the secular nature of the old Kosovo Liberation Army is worth noting. "In the two years that I covered the conflict in Kosovo, never once did I see the mujahideen fighters I saw in Bosnia, or hear KLA soldiers even allude to any kind of commitment to Islam," Stacy Sullivan wrote in *Newsweek*. "Most said they were offended by such allegations, bragged about how they were Catholic before the Ottomans came and converted them, and said their only religion was Albanianism."

Even so, the KLA was a murky organization with alleged links to organized crime and political gangsterism, and it was dissolved in September 1999, almost immediately after NATO's intervention. Many of its former commanders ran for office in Kosovo's first postwar election and lost overwhelmingly to the Democratic League of Kosovo, led by the pacifist Ibrahim Rugova. Kosovo is almost unique in history for rejecting its militant would-be liberators after earning *de facto* independence. Perhaps this pacifism was exactly what Kosovo needed after the fires of war died down. Foreign soldiers were on hand to provide security. Militant ethnic nationalism or, worse, militant religious sectarianism could easily have turned Kosovo into the Iraq of Europe.

A big reason for Kosovars' antipathy to radical Islamism is, in a word, America, which has been the political North Star for Albanians inside and outside Kosovo ever since NATO's intervention in 1999. In 2004, a Gallup survey measured popular opinion of U.S. foreign policy around the world. Only ten countries rated American foreign policy favorably, and among those, Kosovo scored highest, registering 88 percent approval. When one ethnic Albanian I met happened to make the uncontroversial statement that Kosovo was a European country, another broke in. "We aren't European," she corrected. "We're *American*."

Repeatedly, I heard that Kosovars were America's most reliable allies in the world. American flags fly just about everywhere outside the Serbian enclaves—some even in front of official buildings—and are sold at kiosks on the street, along with T-shirts that say THANK YOU USA. The Hotel Victory has erected the world's second-largest replica of the Statue of Liberty on its

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roof, and I found another replica in the southeastern town of Vitina. Kosovars are fans of George W. Bush, both because he recognized Kosovo's independence and simply because he's the president. Graffiti in one Kosovar village proclaims THANKS USA AND BUSH. "You should have seen President Bush's face when he came to Albania," says a Kosovar Albanian who works with the United States Agency for International Development (USAID). "All over Western Europe he was met by protests, but the entire country of Albania turned out to welcome him."

And Bill Clinton, who ordered the 1999 military intervention, is lionized. Izeir Mustafa is sculpting a statue of the former president that will soon be erected on a major traffic artery—renamed Bill Clinton Boulevard—leading from the airport into downtown Pristina. Many businesses are named after Clinton. I even found a patisserie and disco bar named "Hillary," decorated with pictures of the ex-president and his wife.

"Americans are our best friends in the world," a waiter said to me at one of Pristina's finest restaurants. "The U.K. is second."

"Thank you," I said. "We appreciate that. Some people don't like us."

"Bad people," he said.

Kosovar Albanians also strongly support, of all countries, Israel. "Kosovars used to identify with the Palestinians because we Albanians are Muslims and Christians and we saw Serbia and Israel both as usurpers of land," a prominent Kosovar told journalist Stephen Schwartz. "Then we looked at a map and woke up. Israelis have a population of 6 million, their backs to the sea, and 300 million Arab enemies. Albanians have a total population of 8 million, our backs to the sea, and 200 million Slav enemies. So why should we identify with the Arabs?"

Berisha echoes the sentiment. "We have very much in common with Israel," he says. "I would never side with the Muslim side to wipe Israel off the face of the world. Ninety percent of Kosovo feels this way." Though that number sounds high, I didn't meet anyone who said he felt otherwise. And Shachar Caspi, a Jewish Israeli restaurateur who moved from Tel Aviv to Kosovo, agreed. "Nobody has given me any problems or been against Israel," he said. "Nobody here is radical. On the contrary, people are very warm, they are very nice, they have taken Islam to a beautiful place, not to a violent place. When they hear I am Israeli, they react very warmly."

"Nobody cares?" I asked. Considering the vicious anti-Semitism that infects so much of the Muslim world, it was hard to believe. "On the contrary, people like it," he said. "They come to speak to us. They want to be in contact. They tell me that in the Holocaust, they used to keep the survivors inside of shelters. And vice versa, in 1999 the first plane that landed in Pristina for [humanitarian] support was an Israeli plane."

Few outside Albania and Kosovo know about the area's heroism during the Holocaust, but the ethnic Albanians I met brought it up several times. "We sympathize a lot with the people who have suffered the same fate as us," Berisha says. "We were Muslims even in the Second World War, stronger Muslims than now, but even then we protected [the Jews] with our lives." And Hamiti says, "Albanians everywhere are aware that Jews want to help them in this conflict. And Jews are aware and thankful to Albanians for saving their lives during the Second World War."

After concluding my Kosovo trip, I attended a conference in Tirana, Albania, called "Albania, the Albanians, and the Holocaust." Among those in attendance were Albania's prime minister and president. Dan Michman, chief historian at Jerusalem's Holocaust museum, Yad Vashem, was one of the speakers. "Is it really true that Jews had a 100 percent survival rate here during the Nazi occupation?" I asked him.

"Yes," he said. "Actually, if you look inside the borders of 'Little Albania'—excluding Kosovo and the Albanian regions of Montenegro and Macedonia—there were three times as many Jews living here at the end of the Holocaust as there were before the war started." Albanians, Christian and Muslim alike, refused to surrender Jews to the Nazi authorities, and Jews were safer among Albanians than they were anywhere else in Nazi-controlled Europe.

At the conference, Albanian prime minister Sali Berisha delivered a thundering condemnation

HAZIR REKA/REUTERS

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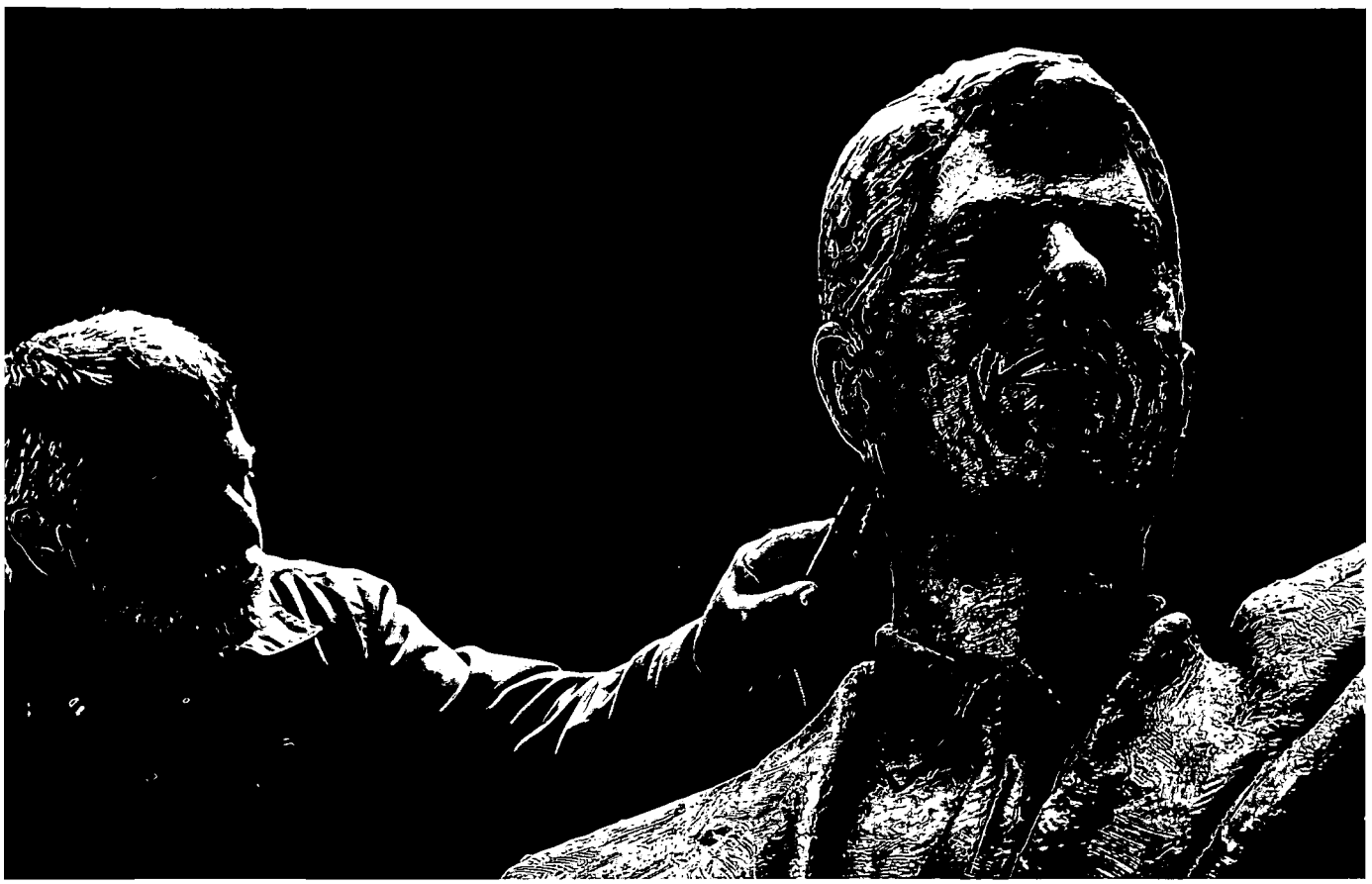

. . . and will soon erect a new statue of Bill Clinton.

of Islamist radicals that you'd be unlikely to hear from a head of state anywhere else in Europe. "Israel will accept an independent Palestinian state," he said. "But Israel cannot accept the fundamentalists amongst Palestinians because their ideology is identical to that of the Nazis."

There is a difference between Islam and the culture," Hamiti says. "Islam is not the culture." I've seen no more convincing evidence that he's right than the politics and culture of Kosovo, which offer the hope that Muslims need not be enemies of Christians, Jews, and the West, and that Muslim societies are not inherently opposed to religious pluralism and democracy. True, Kosovo's Muslims are very different from their Middle Eastern coreligionists. They often call themselves "culturally Christian"—because they're immersed in a Christian-majority region and because they used to be Christians themselves—and one might with even more accuracy call them "culturally European."

But they are Muslims nevertheless. And while the jihadist movements in the Middle East may appear to be an inevitable product of Islam, in many ways they are simply a religiously themed manifestation of the Arab world's political backwardness. Perhaps Kosovo's ethnic Albanians can even—as Mordechai Arbell, chairman of the World Jewish Congress Institute, said at the Tirana conference—"teach the world how people can live in harmony between religions and nations and how they can save each other." □

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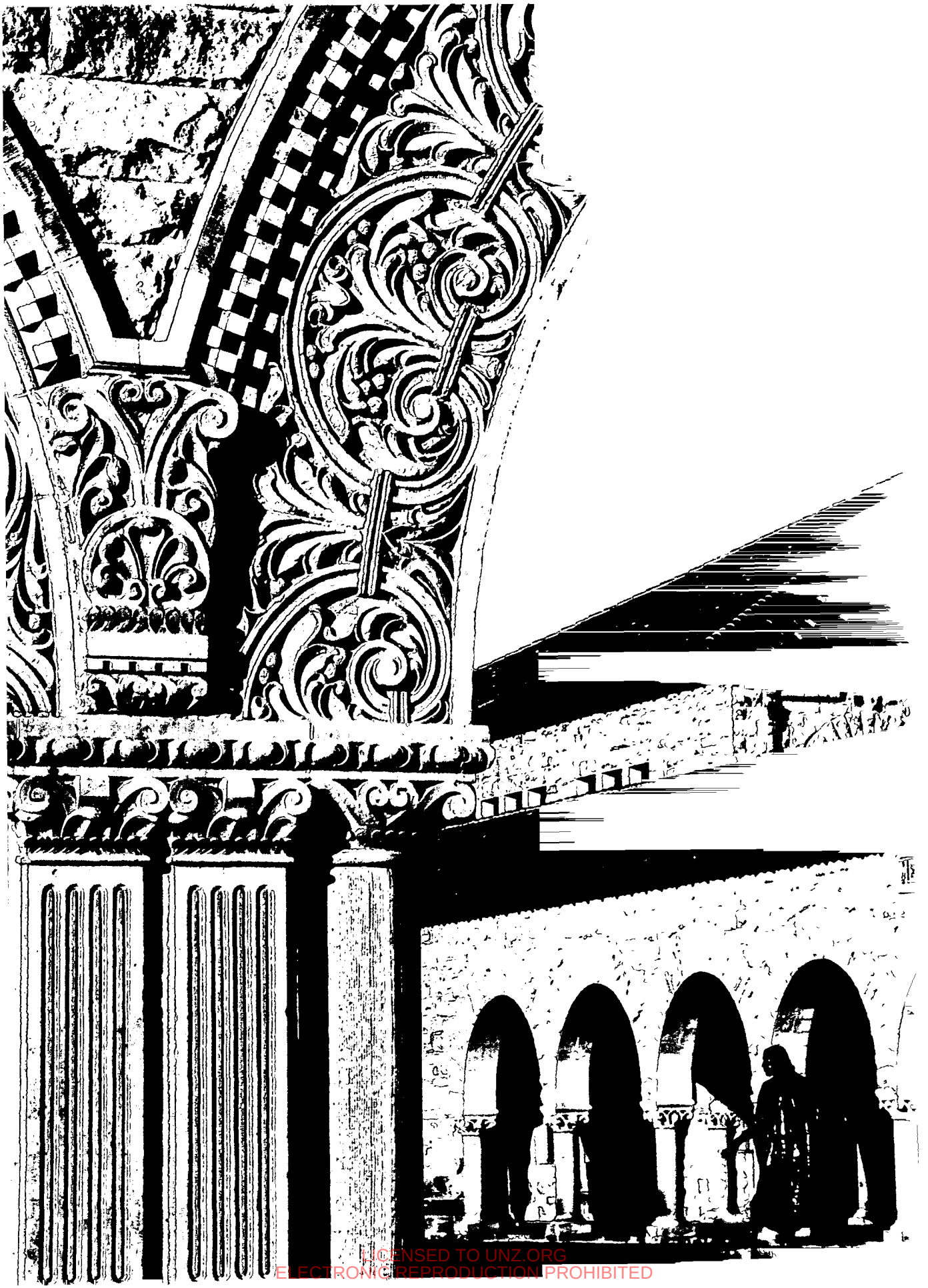

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The Humanities Move Off Campus

As the classical university unravels, students seek knowledge and know-how elsewhere.

Victor Davis Hanson

Until recently, classical education served as the foundation of the wider liberal arts curriculum, which in turn defined the mission of the traditional university. Classical learning dedicated itself to turning out literate citizens who could read and write well, express themselves, and make sense of the confusion of the present by drawing on the wisdom of the past. Students grounded in the classics appreciated the history of their civilization and understood the rights and responsibilities of their unique citizenship. Universities, then, acted as cultural custodians, helping students understand our present values in the context of a 2,500-year tradition that began with the ancient Greeks.

But in recent decades, classical and traditional liberal arts education has begun to erode, and a variety of unexpected consequences have followed. The academic battle has now gone beyond the in-house "culture wars" of the 1980s. Though the argument over politically correct curricula, controversial faculty appointments, and the traditional mission of the university is ongoing, the university now finds itself being bypassed technologically, conceptually, and culturally, in ways both welcome and disturbing.

At its most basic, the classical education that used to underpin the university often meant some acquaintance with Greek and Latin, which offered students three rich dividends. First, classical-language instruction meant acquiring generic methods of inquiry. Knowledge was no longer hazy and amorphous, but categorized and finite. Classical languages, like their Western successors, were learned through the systematic study of vocabulary, grammar, and syntax. Such philological study then widened to reading

Elite universities like Stanford have embraced postmodern political correctness, . . .

STEPHEN SAKS/GETTY IMAGES

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. . . driving more and more students to alternatives like the University of Phoenix, a no-nonsense educational chain, . . .

poetry, philosophy, history, and oratory. Again, the student learned that there was a blueprint—a structure—to approaching education. Nothing could ever be truly new in itself but was instead a new wrinkle on the age-old face of wisdom. Novel theories of education and entirely new disciplines of learning—to the extent that they were legitimate disciplines—could take their place within existing classical divisions of finite learning, such as philosophy, political science, or literature.

More than just an educational buzzword, then, "interdisciplinary" represented a real unity among fields as diverse as numismatics, epigraphy, architecture, archaeology, philology, art, and literature. Reading Homer or Virgil evoked history, culture, geography, style, language, and philosophy. Poetry was not just the modern habit of breaking up prose into bits and pieces but a discipline of poetic language, meter, and subject matter. Oratory was not just speaking publicly but the art of metaphor, allusion, exaggeration, invective, and hyperbole. The formation of university departments, the concept of a core general-education curriculum, and the expectation that graduates would leave the university with

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certain skills and shared wisdom were all outgrowths of the study of classics and evolved over two millennia. Classics was not some esoteric discipline but a holistic way of thinking about the world that elevated reason over cant, fad, and superstition.

Second, classical education—reading Homer, Sophocles, and Aristotle, or studying the Delphic Charioteer and red-figure vase painting—conveyed an older, tragic view of man's physical and mental limitations at odds with the modern notion of life without limits. Love, war, government, and religion involved choices not between utopian perfection and terrible misery but between bad and worse alternatives, or somewhat good and somewhat better options—given the limitations of human nature and the precarious, brief span of human life. Humility permeated traditional liberal arts education: the acceptance that we know very little; that as frail human beings, we live in an unforgiving natural world; and that culture can and should improve on nature without destroying it.

"Political correctness turned upside-down the old standard of inductive reasoning, the linchpin of the liberal arts."

In this regard, the university living experience—on-campus residence, close association with professors at dinners, and attendance at university lectures—helped reinforce the abstract lessons of the classroom and promote a certain civic behavior. Students had a precious four years in such a landscape to prepare their intellectual and moral skills for a grueling life ahead. The university was a unique place; it thrived because liberal arts in the holistic sense simply could not be emulated by, or outsourced to, private enterprise or ad hoc self-improvement training.

Third, classical education was a window on the West. Study of Athenian democracy, Homeric epic, or Roman basilicas framed all exploration of subsequent eras, from the Middle Ages to modernity. An Aquinas, Dante, Michelangelo, or Montesquieu could be seen as reaffirming, adopting, modifying, or rejecting something that the Greeks or Romans had done first. One could no more build a liberal education without some grounding in the classics than one could construct a multistory house without a foundation.

Over the last four decades, various philosophical and ideological strands united to contribute to the decline of classical education. A creeping vocationalism, for one, displaced much of the liberal arts curriculum in the crowded credit-hours of indebted students. Forfeiting classical learning in order to teach undergraduates a narrow skill (what the Greeks called a *technê*) was predicated on the shaky notion that undergraduate instruction in business or law would produce superior CEOs or lawyers—and would more successfully inculcate the arts of logic, reasoning, fact-based knowledge, and communication so necessary for professional success.

A therapeutic curriculum, which promised that counseling and proper social attitudes could mitigate such eternal obstacles to human happiness as racism, sexism, war, and poverty, likewise displaced more difficult classes in literature, language, philosophy, and political science. The therapeutic sensibility burdened the university with the task of ensuring that students felt adjusted and happy. And upon graduation, those students began to expect an equality of result rather than of opportunity from their society. Gone from university life was the larger tragic sense. Few students learned (or were reminded) that we come into this world with limitations that we must endure with dignity and courage rather than deal with easily through greater sensitivity, more laws, better technology, and sufficient capital.

Political correctness, meanwhile, turned upside-down the old standard of inductive reasoning, the linchpin of the liberal arts. Students now

UNIVERSITY OF PHOENIX

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were to accept preordained general principles—such as the pernicious legacy of European colonialism and imperialism and the pathologies of capitalism, homophobia, and sexism—and then deductively to demonstrate how such crimes manifested themselves in history, literature, and science. The university viewed itself as nearly alone in its responsibility for formulating progressive remedies for society's ills. Society at large, government, the family, and religion were hopelessly reactionary.

As classical education declined and new approaches arose to replace it, the university core curriculum turned into a restaurant menu that gave 18-year-olds dozens of classes to choose from, the easiest and most therapeutic usually garnering the heaviest attendance. The result, as many critics have noted, is that most of today's students have no shared notion of education, whether fact-based, requisite knowledge or universal theoretical methodologies. They either do not know what the Parthenon is or, if they do, they do not understand how its role as the democratic civic treasury of the Athenians was any different from—much less any "better" than—what went on atop the monumental Great Temple of Tenochtitlán. Most likewise could not distinguish Corinthian from Doric columns on their venerable campuses, or a frieze from a pediment on their administration buildings. For a brief four-year period, students inherit a now-foreign vocabulary of archaic terms, such as "provost," "summa cum laude," and "honorarium," which they employ but usually do not understand. While the public may not fully appreciate the role that classical education once played, it nonetheless understands that university graduates know ever less, even as the cost of their education rises ever more. Any common, shared notion of what it means to be either a Westerner or an American is increasingly rare.

The universities apparently believed that their traditional prestige, the financial resources of their alumni, and the fossilized cultural desideratum of "going to college" would allow them to postpone a reckoning. But by failing in their central mission to educate our youth, they have provoked the beginnings of an educational counterrevolution. Just as the arrogance and ideological biases of the mainstream media have made them slow to appreciate technological trends and the growing dissatisfaction of their audience, so, too, are universities beginning to fragment, their new multifaceted roles farmed out to others that can do them more cheaply and with less political sermonizing.

The most obvious challenge to university predominance is technological—in particular, Internet-based education offered by private-sector virtual campuses masquerading as traditional universities. As the American workforce increasingly needs retraining and as higher-paying jobs demand ever more specialized skills, students are beginning to pay for their education on a class-by-class basis through distance learning. Online classes, which do not require campus residence or commuting, also eliminate the overhead of highly paid, tenured faculty, campus infrastructure, and such costly elements of undergraduate education as on-campus lectures and extracurricular activities.

Unfortunately, private online schools also do away with the old notion of offering liberal arts classes to enrich citizenship and enhance technological specialization. Perhaps their unspoken premise is that if universities do not believe in the value of teaching Western civilization as part of a mandated general-education curriculum, then why not simply go to the heart of the matter and offer computer-programming skills or aeronautical-engineering know-how without the pretense of a broad education? And who is to say that paid-by-the-hour instructors at the online University of Phoenix are less responsible teachers than their traditional counterparts? After all, their market-driven employers must serve a paying constituency that, unlike traditional university students, often demands near-instant results for its fees.

At American Military University, it's worth noting in this light, online instructors receive compensation based on the number of students they teach, rather than the number of courses they offer. Cost-cutting measures are radical in the online education world. Bookstores and

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libraries become almost superfluous; instead, students simply pay fees for the use of Internet resources. The University of Phoenix actually negotiates deals with textbook publishers to make all of their books available online for a flat fee. The logic is to redefine education as an affordable product that finds its value in the marketplace among competing buyers and sellers.

It's hard to fault these companies; they are serving a need. It would be reassuring, certainly, to think that a psychology student at Smith or Occidental would receive a broader understanding of the discipline, its history, and its place within the liberal arts than would a counterpart graduating from the far cheaper online Argosy University. But it would be far from certain.

"The logic is to redefine education as an affordable product that finds its value in the marketplace."

Traditional colleges and universities, seeking to compete, have started to enter the online education market. The present university system is partly subsidized by low-paid, part-time faculty without tenure who teach large classes and thereby support a smaller mandarin cohort of tenured professors with full benefits, fewer students, and little worry about the consequences of poor peer reviews or student evaluations. Indeed, since the 1970s, the percentage of tenured and tenure-track professors in the academy has declined dramatically, as the university seeks to exploit the many to pay for the chosen, though dwindling, few. Schools are now starting to complement these two tiers with a third—a new sort of distance-learning adjunct, paid even less, who offers classes via the Internet and may never venture onto campus at all, but whose courses carry the prestige of a well-known university brand. An informal survey suggests that distance learning now makes up as much as 20 percent of total offered classes at some schools.

One can also see a growing cultural reaction to the modern university in the spread of conservative Christian colleges. According to the Council for Christian Colleges and Universities, enrollment in such schools increased 70.6 percent between 1990 and 2004, versus 12.8 percent for public universities and 28 percent for all private universities. The national news media have split into genres predicated on political partisanship: network news, public radio, and large newspapers for liberals; and talk radio, cable news, and Internet sites for conservatives. So, too, have our mainstream universities, promising free thought but in reality indoctrinating their students, become increasingly distinct from religious colleges and universities that take pride in a more classical curriculum.

The religious schools are recognizing their market advantage. What was once the old Bible school has now often become the popular conservative antidote to the liberal university. Liberty University and Oral Roberts University have seen endowments and enrollments soar as they have broadened their mandates to encompass general cultural conservatism rather than solely religious orthodoxy. Liberty University is no longer Jerry Falwell's weird and tiny Liberty Baptist College of the 1970s but has swelled to more than 20,000 undergraduate and graduate students, with another 4,500 enrolled in online graduate programs alone. Thirty years ago, Fresno Pacific College was a small evangelical Mennonite campus; today, its successor, Fresno Pacific University, is a generic traditional campus that offers an alternative to the cumbersome bureaucracy and politically charged culture of nearby California State University, Fresno. The teacher-credential program at Fresno Pacific's education school, for example, has earned regional acknowledgment for being more rigorous, better organized, and freer from therapeutic and political biases than its much larger counterpart at CSU, Fresno.

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. . . and to schools with more traditional curricula, like Liberty University in Lynchburg, Virginia.

The growth of classically minded religious colleges is not limited to the Protestant evangelical movement. Against-the-grain Catholic schools have flourished, too, offering an alternative not just to Berkeley, Wisconsin, and Amherst but also to increasingly liberal Notre Dame and Santa Clara, which have abandoned traditional Catholic themes and classical values. Thomas Aquinas College, founded in 1969, to take one example, has won recognition for its traditional curriculum. A few nonreligious schools, too, like Hillsdale College and St. John's College, concentrate solely on the classical curriculum, offering Great Books–based courses whose very success serves as an effective critique of higher education elsewhere.

It's no accident that millions of laypeople don't find endowed professors at elite schools interesting or useful. Many public universities have rejected merit pay for faculty on the grounds that academic or teaching excellence is impossible to quantify. More elite private universities have embraced a star system of compensation, but in the liberal arts, the criteria of evaluation usually hinge on esoteric and jargon-laden scholarly publications, not teaching excellence.

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So those who wish to discover history or literature—to learn about the Founding Fathers or military history, say—often look outside the university, to public intellectuals on television and noted best-selling authors like David McCullough or John Keegan.

Private companies have made considerable profits by responding to the public hunger for inspired teaching of traditional liberal arts. The Teaching Company markets prerecorded lectures with rich content in history, literature, and other subjects from proven classroom stars, many of whom have found far less success under normal academic evaluation. Rosetta Stone's software offers foreign-language instruction in dozens of languages, without the embedded cultural sermonizing that often characterizes foreign-language departments' curricula. In a series of CDs from a company called Knowledge Products, marketed as "Giants of Philosophy," the late Charlton Heston narrates excerpts from the seminal philosophers of the Western tradition. Consumers understand that they are buying the words of the philosophers themselves, read and explained by a skilled orator and actor, and skipping the postmodern jargon and leftist bias.

"Companies have profited by responding to the public hunger for inspired teaching of traditional liberal arts."

AP PHOTO/THE NEWS & ADVANCE, JILL NANCE

In the future, to learn professions, many students will enroll in specific classes to master accounting, programming, or spreadsheets, and not feel the need to study inductive reasoning or be equipped with the analogies and similes supplied by great literature and the study of history. If, later in life, graduates feel robbed of such a classical foundation, they can buy CDs and recorded lectures or take self-administered correspondence courses. Since universities are no longer places for disinterested investigation in the manner of Socratic inquiry, one can envision a future in which there will be liberal schools and conservative schools, and religious schools and antireligious schools. But the old, classical, unifying university will then have completed its transformation into a multiversity: knowledge, imbued with politics and ideology, will be fragmented, balkanized, and increasingly appropriated by for-profit companies.

Traditional colleges and universities aren't about to die, of course. But their attractions—and especially the enticements of the Ivy League schools, Stanford, Berkeley, and such private four-year colleges as Amherst and Oberlin—will largely derive from the status that they convey, the career advantages that accrue from their brand-name diplomas, and the unspoken allure of networking and associating with others of a similarly affluent and privileged class. They are becoming social entities, private clubs for young people, certification and proof of career seriousness, but hardly centers for excellence in undergraduate education in the classical sense. For all the tens of thousands of dollars invested in yearly tuition, there will be no guarantee, or indeed, even a general expectation, that students will encounter singular faculty or receive a superior liberal arts education—let alone that they will know much more about their exceptional civilization than what they could find on the Internet, at religious schools, or on CDs and DVDs.

Once academia lost the agreed-upon, universally held notion of what classical learning was and why it was important, a steady unraveling process removed not just the mission but the mystery—and indeed, the beauty—from the American university. How ironic that the struggling university, in its efforts to meet changing political, technological, and cultural tastes and fads, willingly forfeited the only commodity that made it irreplaceable and that it alone could do well. And how sad, since once the university broke apart the liberal arts, all the religious schools, self-help courses, and CDs couldn't quite put them together again. □

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The Ghost in Your iPod

John H. McWhorter

Will Marion Cook's underappreciated musical legacy

Will Marion Cook is a name to reckon with in the history of black American music. "His great genius will always be a guiding star to those of us who remain," black violinist Clarence Cameron White wrote on hearing of Cook's death. Trumpeter Arthur Briggs called Cook "the greatest real musician ever." Duke Ellington and Eubie Blake praised him as a mentor.

Yet while Ellington's and Blake's careers are well documented, only academics can describe Cook's. Even diehard fans of the American popular songbook are hard-pressed to name one of his songs. The first recording devoted to his work appeared only a few years ago, and Marva Griffin Carter's 2008 biography, *Swing Along*, is the first since his death in 1944. In the end, the fact of Cook's importance is better known than its reason. A significant composer, but of what? Didn't he write something like the first black Broadway musical? Yes, but what else?

The tale most often told about Cook has him returning from conservatory training at the Berlin Hochschule für Musik in 1889 and performing a concert at Carnegie Hall. When a reviewer praised him as "the world's greatest Negro violinist," Cook stormed into his office, smashed his violin to bits on the man's desk, and yelled, "I am not the world's greatest Negro violinist. I am the greatest violinist in the world!" He never played the violin again.

Cook's words might suggest that racism explains his obscurity. Yet a few years later, Cook gave the world a song with these lyrics:

> Such queer foolin' now I never could stand,
> Didn't want my Lula loving no nigger man,
> I then grabbed that woman just to scare her a bit,
> The way that wench did holler, well you'd tho't she had a fit,
> Up jump'd the other nigger and I grabbed at his arm,
> When he drew his steel I knew he meant to do me harm . . .

Racism is hardly the only

FRANK DRIGGS COLLECTION/GETTY IMAGES

Cook, standing, in 1929; at the wheel is legendary bandleader Fletcher Henderson.

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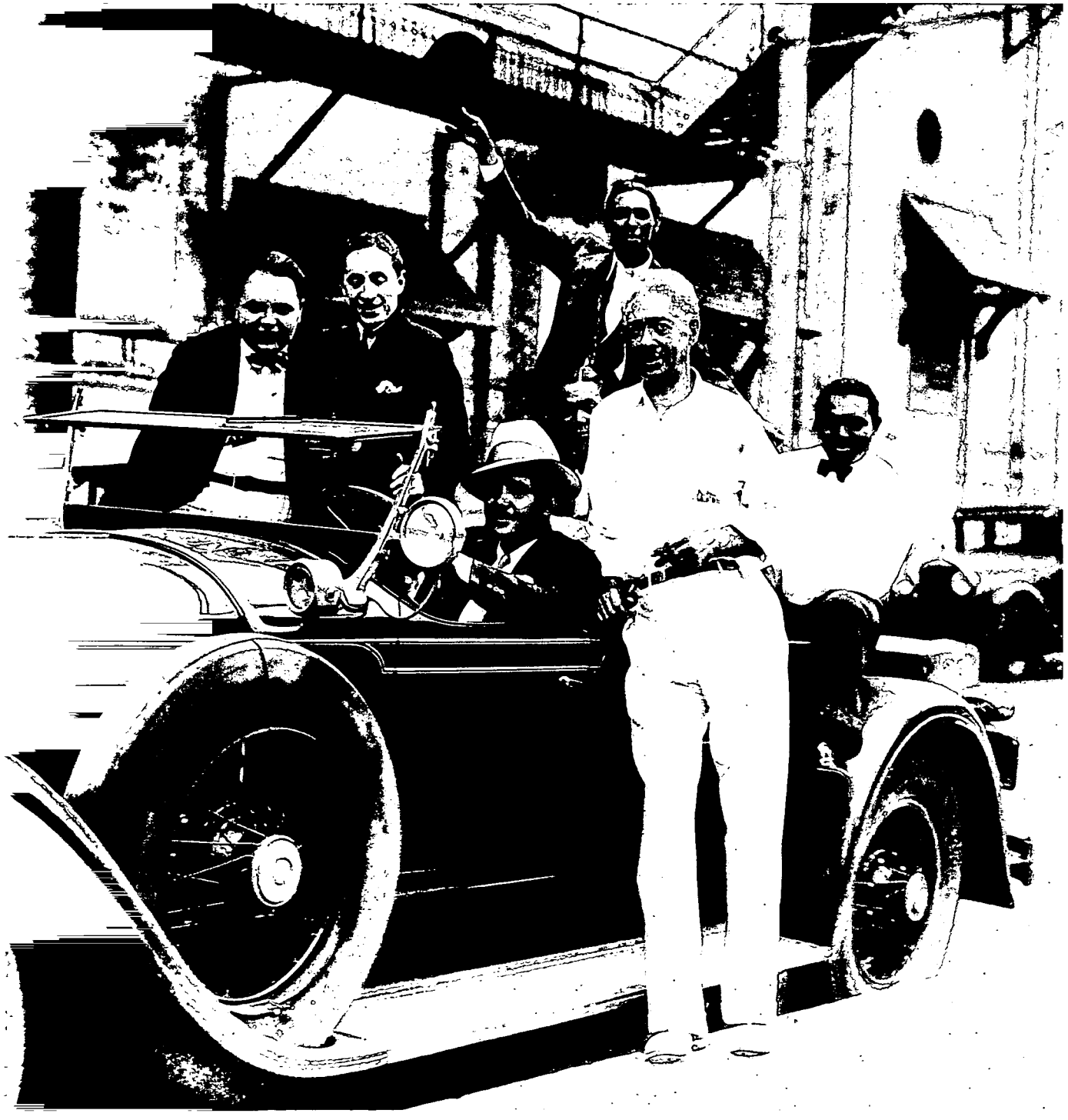

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reason people aren't doing this one at the piano bars. Both too far from and uncomfortably close to our times, Cook's music is not the kind we moderns want in our iPods—yet without it, what's in our iPods would be vastly different.

Unlike so many blacks born just after the Civil War, Cook didn't grow up among sharecroppers in a dusty Southern town. He was born in 1869 in Washington, D.C., to two of the lucky 4 million blacks who had never known slavery. Both parents were Oberlin graduates, and his father was a Howard University law professor. When Cook was ten, his father died, and the boy spent some unhappy years living with his authoritarian blacksmith grandfather in Chattanooga, Tennessee. At 14, he entered Oberlin's conservatory program, where he excelled at violin and was eventually sent to the Berlin Hochschule to study under world-class violinist Joseph Joachim.

Returning home in 1889, Cook seemed on his way to becoming a classical musician. In 1893, a group of black artists, offended that the Chicago World's Fair of that year had acknowledged black people only with a troop of Dahomeans performing "savage" dances, organized a "Colored American Day" concert within the fairgrounds. Cook played a leading role in bringing it about. The concert featured classical singing and poetry recitals and included excerpts from an *Uncle Tom's Cabin* opera that Cook had composed. The opera is lost; if it had survived, it would provide a glimpse of the Bach-Beethoven-Brahms mind-set that Cook was about to leave behind.

The shift began when Cook moved to New York to study at the National Conservatory of Music under Antonín Dvořák. Dvořák believed that American classical composers should mine American folk music, especially black music, and had done so himself by embedding black folk melodies into his symphony *From the New World*. Cook decided to go a step further and use the black musical idiom to create a new music entirely. He began hectoring other black musicians about the urgency of creating a "Negro" statement in music. He stressed that "the Negro in music and on the stage ought to be a Negro, a genuine Negro," rather than waste time imitating what "the white artist could always do as well, generally better."

The word "stage" was key: Cook saw musical theater as riper for his ideas than the concert hall. In the 1890s, black musicals were fancy minstrel shows, while mainstream theater music consisted mostly of bland, forgettable marches, waltzes, and parlor ballads. Cook envisioned a black musical that rose above minstrel barbarity but maintained enough rhythmic and lyrical energy to liven up white shows' musical pablum. More to the point, he wanted to inject Broadway music with syncopation, which stresses beats that usually go unstressed: Scott Joplin's "Maple Leaf Rag" is Exhibit A. Cook wanted to make show music, in a word, hot.

He first pulled it off in 1898 with the hour-long musical sketch *Clorindy*, written with black poet Paul Laurence Dunbar in an all-night session lubricated with two dozen beers, a bottle of whiskey, and raw steak with onions and peppers. *Clorindy* was disqualified from being the first black Broadway musical on a technicality: it played in a rooftop theater, a popular type of summertime venue before the advent of air conditioning. Still, it heralded the beginning of a new era. Cook, who conducted the show, remembered opening night: "At the finish of the opening chorus, the applause and cheering were so tumultuous that I simply stood there transfixed, my hand in the air, unable to move until [lead actor Ernest] Hogan rushed down to the footlights and shouted 'What's the matter, son? Let's go!'"

Clorindy culminated in a high-energy cakewalk, which Cook recalled fondly nearly 50 years later: "My chorus sang like Russians, dancing meanwhile like Negroes, and cakewalking like angels, black angels! When the last note was sounded, the audience stood and cheered for at least ten minutes." And no wonder: to

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a white person in 1898, syncopation made for the most devilishly catchy music ever heard. (A few years later, a Boston reviewer wrote that a black musical's "catchy refrains kept the head nodding and the toe tapping all over the theater by means of their irresistible rhythm"—a musical experience that we now take for granted but that was brand-new at the time.)

After the show, Cook and the cast went to a bar to wait for the newspaper reviews. Cook was so excited, he later recounted, that he mistook his water for wine and got "drunk" on it. "Negroes are at last on Broadway, and are here to stay!" he exulted. And for a while, they were. The reviews were favorable, and at summer's end, a second *Clorindy* company settled in New York until Christmas, while the original production toured the country under various names for two years. Cook had arrived, and he became a dinner regular at the Marshall Hotel on 53rd Street, a combination meeting hall and residence where black Broadway movers and shakers rubbed elbows and discussed what black musical theater should become.

The names of most of the Marshall regulars are footnotes today. Cook would have shared their fate if not for writing the music for *In Dahomey* (1903), the true "first black Broadway musical," which played indoors at the New York Theater and became an instant sensation. The company soon played London (including a command performance at Buckingham Palace), toured England, returned for a second stand in New York, and then toured America through 1905.

The show's plot concerned a pair of detectives looking for a stolen "silver casket with a cat drawed on the outside" who follow the trail to Dahomey (present-day Benin) in Africa, where they decide to stay and make their fortune. Academics have sought sociological implications in the plot's back-to-Africa aspect, but in musicals at the time, moving the action to a foreign land—which meant exotic costumes and such—was commonplace: characters in white operettas typically visited locales of the "Ruritania" variety, for example. In any case, musicals' plots in this period were largely episodic shtick. *In Dahomey* stood out for two reasons. First was the comedy team of Bert Williams and George Walker. Williams was the sad-sack straight man to Walker's dancing dandy. The duo had been making a name over the past few years, including headlining the second *Clorindy* company in New York. With *In Dahomey*, they became the toast of Broadway.

But what also made *In Dahomey* the hottest ticket in 1903 New York was Cook's driving choral arrangements of such songs as "On Emancipation Day" and especially "Swing Along," which black choruses were regularly singing into the 1950s. Cook was, as black stage composer and future NAACP president James Weldon Johnson designated him, "the first competent composer to take what was then known as ragtime and work it out in a musicianly way."

During the rest of the aughts, Cook wrote and supervised music for two more hit Williams-and-Walker vehicles in the same vein. *Abyssinia* took place in an Ethiopia depicted as distinctly civilized, though this time our boys came home. *Bandanna Land* was a less ambitious, but notably successful, tale in which Walker tried to fleece Williams out of his fortune. The weirdly infectious new music was the main selling point of both. *Bandanna Land* struck the drama critic at the *New York Dramatic Mirror* as "one of the rare plays that one feels like witnessing a second time," an indication of how inert musical comedy had seemed to discerning theatergoers before Cook came along.

Broadway took notice. White musicals began including syncopated numbers as novelties. Johnson described how white revue producer George Lederer adopted the choreographic and musical heat of Cook's shows:

> [Lederer] judged correctly that the practice of the Negro chorus, to dance strenuously and sing at the same time, if adapted to the white stage would be a profitable novelty; so he departed considerably from the model of the easy, leisurely movements

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of the English light opera chorus. He also judged that some injection of Negro music would produce a like result. Mr. Lederer was, at least, the grandfather of the modern American musical play.

And that, in turn, makes Cook the great-grandfather.

So why has there been no hit Broadway revue of Cook's work—presumably called *Swing Along*—in the manner of *Sophisticated Ladies* for Duke Ellington and *Eubie!* for Eubie Blake? Why is Cook more written about than performed? For one, there is a language problem. Here, for example, are lyrics from that opening showstopping chorus of *Clorindy*:

> Warm coons a-prancin',
> Swell coons a-dancin',
> Tough coons who'll want to fight;
> So bring 'long yo' blazahs,
> Fetch out yo' razahs,
> Darktown is out tonight!

Similarly, *In Dahomey*'s "Swing Along" begins, "Swing along, chillun, swing along de lane." *Amos 'n' Andy*–style minstrel dialect was the lyrical warp and woof of Cook's theater music.

This was partly an accommodation to white expectations. At the turn of the last century, "coon songs"—many written by whites—depicted blacks as violent and hypersexualized. Blacks had to toe the line to an extent. Even *In Dahomey*'s opening tableau had to be the standard minstrel-show kickoff, with the cast standing in a semicircle shaking tambourines. When black writers attempted black musicals in standard English, white critics roasted them for not being "Negro" enough.

Further, though Paul Laurence Dunbar winced when hearing his *Clorindy* lyrics sung before a white audience, no other black lyricist of the period was that sensitive. Black people a century ago didn't hear these lyrics the way we do today. When slavery was a more recent memory, northern black urbanites warmly cherished the "Ebonics" that we now view as inner-city gutter talk; they saw it as "dialect" and associated it with their grandparents and the South. Dunbar himself wrote poems in "dialect," and his discomfort over *Clorindy* had more to do with subject matter than syntax.

Even "coon" didn't carry the sting among blacks that we would assume. It was used as a term of affection, precisely as some blacks use "nigger" today, as in the expression for good friend: "my ace boon coon." In 1904, black drama critic Sylvester Russell wrote in the *Indianapolis Freeman* that "the Negro race has no objections to the word 'coon.' "

Nevertheless, we do now, and what Russell heard as quaint reminds us of burned cork and Stepin Fetchit. This leaves a critical mass of Cook's work all but unperformable. Isolated songs can be ventured in a clinical context of warning and apology, but only by blacks (as in a 2001 National Public Radio segment on Cook). An actual performance of a show like *In Dahomey* is unthinkable.

Another reason Cook's work can't move us the way it moved his audiences is that what was infectious then isn't especially "hot" now. Cook's musical language was firmly rooted in the European conservatory tradition, complete with marches, semiquavers, and 6/8 time. Hoping to be a "black Beethoven," as he told his son, he sought to show that black people could master classical music's language. A lyric from *In Dahomey*'s "Swing Along" went, "Come along Mandy / Come along Sue / White folks a-watchin' / An' seein' what you do." Musicologist Thomas Riis calls that line a synecdoche for the show; one could also call it the synecdoche for Cook's life.

In fact, much of his music is only very lightly syncopated, if at all, and qualifies as solid light opera. That was big news in a black show at the time: *In Dahomey*'s "Society" number goes through solos, duets, ensembles, and recitatives, and ends in a waltz. To Cook and his contemporaries, this was black people just two generations past slavery in their Sunday best. Today, because our jaws do not drop to see a black person singing opera, "Society" has only antiquarian appeal.

PHOTOFEST

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A rare photo of Cook's smash *In Dahomey* (1903), the first black Broadway musical

Meanwhile, a mere dash of ragtime-style syncopation was enough to make a song big news, bracingly seductive compared with the operetta pastry of Victor Herbert or the marches and jigs of George M. Cohan. What read as fascinatingly "black" in 1900 was music about as syncopated as Joplin's "The Entertainer."

But syncopation is addictive, and Americans have sought ever stronger doses since Cook's day. The gentle little kick of ragtime was the gateway drug for an America that moved on to traditional jazz, then swing, then rhythm and blues, then rock, and now hip-hop. From our vantage point, Cook's music sounds as polite as the straw hats and calling cards of its era. In 1912, the Clef Club, an employment agency for top-quality black musicians, held a concert featuring Cook compositions and others regarded as fiendishly infectious—but at a 1986 re-creation of the concert, many in the audience found the music surprisingly tame. Yesterday's hot pepper is today's juice and cookies.

Also keeping us at arm's length from Cook is the fact that he did not, in truth, have the particular gift that figures like Irving Berlin and Victor Herbert possessed of creating melodies that take hold and never let go. None of Cook's songs, fine as they are, exerts the remorseless grip of Berlin's "Alexander's Ragtime Band." If they did, then sheet music alone could have kept Cook's legacy alive, complete with songbook LPs devoted to his work. Instead, his most lucrative hit was one he wrote only the lyrics for: "I'm Comin', Virginia."

Rather, Cook was legendary as an arranger and conductor—and the technology of the time couldn't preserve those gifts for posterity. James Weldon Johnson's recollection was not that Cook's *Clorindy* songs

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themselves were what put the show over, but that the "choruses and finales in *Clorindy*, complete novelties as they were, sung by a lusty chorus, were simply breath-taking. Broadway had something entirely new." "Swing Along" was one of the highlights of the Clef Club concert of 1912, whose all-black 145-piece orchestra included 47 mandolins and ten pianos. "All the musicians, while playing their fiddle or jerking their banjos, joined in singing this rousing tune in good four-part harmony, lilting, swelling, thunderously bursting forth on the big fermata, and winding up in a frenzy," wrote a music-publishing rep who attended.

One yearns to get an earful—but can't. A 1914 recording of Cook conducting his original arrangement of "Swing Along" gives a hint of what all the fuss was about, with its savory hesitations on the offbeat and its bass countermelody. But even with the most advanced restoration techniques, a recording of people singing almost a century ago remains dim, scratchy, and brief. Cook's gift for choral writing went all but unrecorded, leaving us with mere descriptions.

Nor, because film was still silent, do we have a filmic record of his conducting, which also lives only in story. He conducted *Clorindy* facing the audience. During the teens and early twenties, Cook made his living mostly by conducting all-black orchestras on tour. Blues composer W. C. Handy described in awe how Cook "set the tempo with the sway of his body and developed perfect crescendos without a baton by the use of his opened and extended palms." His conducting was, by all accounts, legendary—but you won't see clips of him doing it on YouTube.

Cook lived until 1944, so we might expect that technology would have caught up with him. However, the final 25 years of his life were a long decrescendo, mostly because he was a bit mad. Given to bedridden spells of "melancholia" and abrupt rages of the sort that could leave a violin in pieces, Cook was known for throwing his baton at musicians. He was married only briefly, to a 13-year-old singer in the *Clorindy* company, Abbie Mitchell, whom he had made pregnant. He beat her and then came after her with a gun in an alimony dispute. (She went on to originate the role of Clara in George Gershwin's *Porgy and Bess*.)

Cook's temper lost him opportunities. After *Clorindy*, he was such a hot property that he was hired to write a few songs for a white musical, *The Casino Girl*. However, America in 1900 wasn't ready for a black man to conduct a white orchestra, and the orchestra under a white conductor's baton was so unfamiliar with ragtime syncopation that it could barely render Cook's music properly. After opening night, Cook was so incensed at hearing his songs played poorly that he seized the orchestra's sheet music and destroyed it—rather than taking his place as the first black composer in a white Broadway show and enjoying the future commissions that would likely have ensued. The numbers were replaced by songs written by white men. In an unpublished autobiography written at the end of his life, Cook was sadly aware that he had often been his own worst enemy: "My failure to gain the goal was not because of color; rather, because of uncontrolled passions, too violent a resentment against real or fancied wrongs; too large and too visible a chip on each shoulder and to be sure I missed nothing, another chip on my woolly head."

It also didn't help that Cook never embraced jazz. By the late twenties, black jazz-band leaders like Duke Ellington were becoming household names by taking advantage of sound films and improvements in sound recording. Cook, in contrast, was coaching younger black musicians, who affectionately called him "Dad Cook." He was a mentor in the shadows to Ellington, Blake, and black chorus leaders Eva Jessye and Hall Johnson, but he no longer wrote shows himself and penned only the occasional song—in what was, by then, the style of another time.

In 1929, for instance, he wound up as the vocal arranger for the Broadway musical *Great Day*, with a score by Vincent Youmans, famous for hits like "Tea for Two." The rehearsal pianist, one Harold Arlen, played a catchy little

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figure during breaks. Cook, in "Dad" mode, told the pianist that he should expand it into a song. He did, creating the hit "Get Happy," and went on to become one of the Golden Age composers of American popular song. *Great Day*, however, was a catastrophe that scraped along for a mere month, doing nothing for Cook's career.

By that point, gigs were few and far between for Cook anyway. He was suffering from tuberculosis; later came heart disease, and pancreatic cancer ended his life in 1944. Yet he had written his life off as a misfire as early as 1927. In a letter to the *New York News* accusing white Harlem Renaissance promoter Carl Van Vechten of a condescending attitude toward black music, he waxed personal:

> Too much praise and too easily earned money kept me for thirty-five years from becoming a master. Now it is too late. Your job as a lover of humanity, of the Arts as a critic, is to see that my great genius race does not fail as has . . . WILL MARION COOK.

Here we see again the Cook who refused to submit to being the "greatest Negro violinist": apparently, he felt that he'd sold out by making his livelihood with show music and conducting "hot" concerts. For Cook, the true goal was a new kind of classical music, something grander than the proto-jazz of the black musicals in the twenties spearheaded by Blake's *Shuffle Along*, or even than the true jazz that Duke Ellington would create not long afterward. Presumably, he had something in mind along the lines of *Porgy and Bess*, which premiered eight years after his letter to the *News*. Like the Victorian that he was, Cook thought of the concert hall as where real music was played.

He didn't realize that he had been the *primum mobile* for something just as important. Once he had shown America how to swing in his Broadway scores, white composers began "ragging" songs as a novelty: "Alexander's Ragtime Band" (1911) was a case in point. By the mid-teens, Jerome Kern was writing scores for the tiny Princess Theater with catchy tunes that would have been classified as "ragtime" ten years earlier, but were now simply regarded as show music. Teenagers George Gershwin and Richard Rodgers attended the Princess Theater shows, agog at this new way of writing pop. The rest was history, and Cook was the one who set it going.

He did it so very long ago. Where the Marshall Hotel once stood is now the subway station at 53rd and Seventh Avenue. In his autobiography, Cook's verdict on his life was that "many men have told the story of their lives and achievements. They were great and left to posterity a blaze of light to brighten the way. I have dreamed much and achieved little."

But Cook sold himself short. Music critic Alex Ross notes that "Cook's musicals, sophisticated in technique and assertive in tone, anticipated the spirit of the Harlem Renaissance." Cook would likely have felt more gratified by the effect he had on American music in general: Thomas Riis credits him as the leader among his Marshall Hotel colleagues in "bringing syncopated song to Broadway and thereby injecting a kind of metrical flexibility into our stage music that it has never lost."

That is, because of the seed Cook planted, it was soon no longer "white folks a-watchin' an' seein' what you do" but white folks doing it themselves—and without even knowing it. Richard Rodgers didn't think of his title song to *Oklahoma!* as a "syncopated novelty." Nor did his vocal director, Jay Blackton, think he was employing a "Negro" technique when he expanded the song into the kind of lusty choral arrangement now famous but unheard of before *Clorindy*. Today and for the past 11 years, the cast of *Chicago* has kicked off the show with the raffish "All That Jazz," complete with dazzling choral arrangement, in a musical language that Broadway first learned from Cook three months after the start of the Spanish-American War. Will Marion Cook faded away, but he left us with the essence of the American popular songbook—like the Cheshire Cat leaving behind his smile. □

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Oh, to be in England

The Quivering Upper Lip

Theodore Dalrymple

The British character: from self-restraint to self-indulgence

When my mother arrived in England as a refugee from Nazi Germany, shortly before the outbreak of World War II, she found the people admirable, though not without the defects that corresponded to their virtues. By the time she died, two-thirds of a century later, she found them rude, dishonest, and charmless. They did not seem to her, moreover, to have any virtues to compensate for their unpleasant qualities. I occasionally asked her to think of some, but she couldn't; and neither, frankly, could I.

It wasn't simply that she had been robbed twice during her last five years, having never been the victim of a crime before—experiences that, at so advanced an age, would surely change anyone's opinion of one's fellow citizens. Few things are more despicable, after all, or more indicative of moral nihilism, than a willingness to prey upon the old and frail. No, even before she was robbed she had noticed that a transvaluation of all values seemed to have taken place in her adopted land. The human qualities that people valued and inculcated when she arrived had become mocked, despised, and repudiated by the time she died. The past really was a foreign country; and they did do things differently there.

What, exactly, were the qualities that my mother had so admired? Above all, there was the people's manner. The British seemed to her self-contained, self-controlled, law-abiding yet tolerant of others no matter how eccentric, and with a deeply ironic view of life that encouraged them to laugh at themselves and to appreciate their own unimportance in the scheme of things. If Horace Walpole was right—that the world is a comedy to those who think and a tragedy to those who feel—the English were the most thoughtful people in the world. They were polite and considerate, not pushy or boastful; the self-confident took care not to humiliate the shy or timid; and even the most accomplished was aware that his achievements were a drop in the ocean of possibility, and might have been much greater if he had tried harder or been more talented.

Those characteristics had undoubted drawbacks. They could lead to complacency and philistinism, for if the world was a comedy, nothing was serious. They could easily slide into arrogance: the rest of the world can teach us nothing. The literary archetype of such arrogance was Mr. Podsnap in Dickens's *Our Mutual Friend*, a man convinced that all that was British was best, and who "had even acquired a peculiar flourish of his right arm in often clearing the world of its most difficult problems, by sweeping them behind him." Still, taken all in all, my mother found the British culture of the day possessed of a deep and seductive, if subtle and by no means transparent or obvious, charm.

My mother was not alone. André Maurois, the great French Anglophile, for example, wrote a classic text about British character, *Les silences du Colonel Bramble*. Maurois was a translator and liaison officer between the French and British armies during World War I and lived closely for many months with British officers and their men. *Les silences* was the fruit of his observations. Maurois found the British combination of social self-confidence and existential modesty attractive. It was then a common French opinion that the British were less intelligent than the French; and in the book, Maurois' fictional alter ego, Aurelle, discusses the matter with one of the British officers. "'Don't you yourself find,'

Earl Kitchener (1850–1916), exemplar of a lost stoicism

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said Major Parker, 'that intelligence is valued by you at more than its worth? We are like the young Persians of whom Herodotus speaks, and who, until the age of twenty, learnt only three things: how to ride, archery and not to lie.' "

Aurelle spots the paradox: "You despise the academic," he replies, "and you quote Herodotus. Even better, I caught you the other day in flagrante, reading Xenophon . . . . Very few French, I assure you . . ."

Parker quickly disavows any intellectual virtue in his choice of citations or reading matter. "That's very different," he says. "The Greeks and Romans interest us, not as an object of enquiry, but as our ancestors and as sportsmen. I like Xenophon—he is the perfect example of a British gentleman."

Forty years later, in 1959, another French writer, Tony Mayer, in his short book *La vie anglaise*, noticed the reluctance of the English to draw attention to their accomplishments, to blow their own trumpets: "Conversation still plays an important role in England. They speak a lot, but in general they say nothing. As it is bad form to mention personal or professional matters which could lead to discussion, they prefer to speak in generalities." The Franco-Romanian playwright Eugène Ionesco brilliantly parodied this tendency in his *La cantatrice chauve* (*The Bald Soprano*), in which a respectable English couple has a long conversation at a dinner party. At the end, after many pages of utter banalities, they realize that they are actually married, and have been for a long time.

Appearances in Britain could deceive. The British, after all, despised intellectuals, but were long at the forefront of intellectual inquiry; they were philistines, yet created a way of life in the countryside as graceful as any that has ever existed; they had a state religion, but came to find religious enthusiasm bad form. Mayer comments:

> Even in the most ordinary places and circumstances, an accident happens. You hit by chance upon a subject that you have long studied; you go as far as allowing your interest in it to show. And suddenly you realize that your interlocutor—so reserved, so polite—not only knows a hundred times more about this subject than you, but about an infinite number of other subjects as well.

This attractive modesty mixed also with a mild perfidy (this is *la perfide Albion* we are talking of, after all): irony, understatement, and double meaning were everywhere, waiting to trap the unwary foreigner. The British lived as if they had taken to heart the lines of America's greatest poet (who, not coincidentally, lived her whole life in New England):

> Tell all the Truth but tell it slant
> Success in Circuit lies . . .

The habit of indirection in speech, combined with probity of action, gave English life its savor and its interest. Mayer provided a brief interpretive key for the unwary:

> I may be wrong—I am absolutely sure.
> I don't know much about—I am a specialist in.
> No trouble at all—What a burden!
> We must keep in touch—Good-bye forever.
> Must you go?—At last!
> Not too bad—Absolutely wonderful.

The orderliness and restraint of political life in Britain also struck my refugee mother. The British leaders were not giants among men but—much more important for someone fleeing Nazi Germany—they were not brutes, either. They were civilized men; the nearest they came to the exercise of arbitrary power was a sense of noblesse oblige, and the human breast is capable of far worse sentiments. Politics was, to them and the voters, only part of life, and by no means the most important. Maurois' Dr. O'Grady describes to Aurelle what he calls "the safety-valve of parliament": "From now on, elected champions have our riots and coups d'état for us in the chamber, which leaves the

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rest of the nation the leisure to play cricket." Major Parker takes up the theme, also addressing Aurelle: "What good has it done you French to change government eight times in a century? The riot for you has become a national institution. In England it would be impossible to make a revolution. If people gathered near Westminster shouting slogans, a policeman would tell them to go away and they would go."

Many remarked upon the gentleness of British behavior in public. Homicidal violence and street robberies were vanishingly rare. But it wasn't only in the absence of crime that the gentleness made itself felt. British pastimes were peaceful and reflective: gardening and the keeping of pigeons, for example. Vast sporting crowds would gather in such good order that sporting events resembled church meetings, as both George Orwell and anthropologist Geoffrey Gorer (writing in 1955) noted.

Newsreels of the time reinforce the point. The faces of people in sports crowds did not contort in hatred, snarling and screaming, but were peaceful and good-humored, if a little pinched and obviously impoverished. The crowds were almost self-regulating; as late as the early sixties, the British read with incredulity reports that, on the Continent, wire barriers, police baton charges, and tear gas were often necessary to control crowds. Incidents of crowd misbehavior in Britain were so unusual that when one did happen, it caused a sensation.

The English must have been the only people in the world for whom a typical response to someone who accidentally stepped on one's toes was to apologize oneself. British behavior when ill or injured was stoic. Aurelle recounts in *Les silences du Colonel Bramble* seeing an officer he knew on a stretcher, obviously near death from a terrible abdominal injury. The officer says to him: "Please say good-bye to the colonel for me and ask him to write home that I didn't suffer too much. I hope this is not too much trouble for you. Thanks very much indeed." Tony Mayer, too, says of the English that when they were ill they usually apologized: "I'm sorry to bother you, Doctor."

No culture changes suddenly, and the elderly often retained the attitudes of their youth. I remember working for a short time in a general practice in a small country town where an old man called me to his house. I found him very weak from chronic blood loss, unable to rise from his bed, and asked him why he had not called me earlier. "I didn't like to disturb you, Doctor," he said. "I know you are a very busy man."

From a rational point of view, this was absurd. What could I possibly need to do that was more important than attending to such an ill man? But I found his self-effacement deeply moving. It was not the product of a lack of self-esteem, that psychological notion used to justify rampant egotism; nor was it the result of having been downtrodden by a tyrannical government that accorded no worth to its citizens. It was instead an existential, almost religious, modesty, an awareness that he was far from being all-important.

I experienced other instances of this modesty. I used to pass the time of day with the husband of an elderly patient of mine who would accompany her to the hospital. One day, I found him so jaundiced that he was almost orange. At his age, it was overwhelmingly likely to mean one thing: inoperable cancer. He was dying. He knew it and I knew it; he knew that I knew it. I asked him how he was. "Not very well," he said. "I'm very sorry to hear that," I replied. "Well," he said quietly, and with a slight smile, "we shall just have to do the best we can, won't we?" Two weeks later, he was dead.

I often remember the nobility of this quite ordinary man's conduct and words. He wanted an appropriate, but only an appropriate, degree of commiseration from me; in his view, which was that of his generation and culture, it was a moral requirement that emotion and sentiment should be expressed proportionately, and not in an exaggerated or self-absorbed way. My acquaintance with him was slight; therefore my regret, while genuine, should be slight. (Oddly enough, my regret has grown

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over the years, with the memory.) Further, he considered it important that he should not embarrass me with any displays of emotion that might discomfit me. A man has to think of others, even when he is dying.

My wife, also a doctor, worked solely among the old, and found them, as I did, considerate even when suffering, as well as humorous and lacking in self-importance. Her patients were largely working-class—a refutation of the idea, commonly expressed, that the cultural ideal that I have described characterized only the upper echelons of society.

Gradually, but overwhelmingly, the culture and character of British restraint have changed into the exact opposite. Extravagance of gesture, vehemence of expression, vainglorious boastfulness, self-exposure, and absence of inhibition are what we tend to admire now—and the old modesty is scorned. It is as if the population became convinced of Blake's fatuous dictum that it is better to strangle a baby in the cradle than to let a desire remain unacted upon.

Certainly, many Britons under the age of 30 or even 40 now embrace a kind of sub-psychotherapeutic theory that desires, if not unleashed, will fester within and eventually manifest themselves in dangerous ways. To control oneself for the sake of the social order, let alone for dignity or decorum (a word that would either mean nothing to the British these days, or provoke peals of laughter), is thus both personally and socially harmful.

I have spoken with young British people who regularly drink themselves into oblivion, passing first through a prolonged phase of public nuisance. To a man (and woman), they believe that by doing so, they are getting rid of inhibitions that might otherwise do them psychological and even physical harm. The same belief seems universal among those who spend hours at soccer games screaming abuse and making threatening gestures (whose meaning many would put into practice, were those events not policed in military fashion).

Lack of self-control is just as character-forming as self-control: but it forms a different, and much worse and shallower, character. Further, once self-control becomes neither second nature nor a desired goal, but rather a vice to avoid at all costs, there is no plumbing the depths to which people will sink. The little town where I now live when in England transforms by night. By day, it is delightful; I live in a Queen Anne house that abuts a charming Elizabethan cottage near church grounds that look as if they materialized from an Anthony Trollope novel. By night, however, the average age of the person on the street drops from 60 to 20, with few older people venturing out. Charm and delight vanish. Not long ago, the neighborhood awoke to the sound of a young man nearly kicked to death by other young men, all of whom had spilled forth from a pub at 2 AM. The driver of a local car service, who does only pre-arranged pickups, tells me that it is now normal (in the statistical sense) for young women to emerge from the bars and try to entice him to drive them home by baring their breasts, even pushing them against his windows if for some reason he has to stop in town.

I laughed when hearing this, but in essence it is not funny. The driver was talking not about an isolated transgressor of customs but about a whole manner of cultural comportment. By no means coincidentally, the young British find themselves hated, feared, and despised throughout Europe, wherever they gather to have what they call "a good time." They turn entire Greek, Spanish, and Turkish resorts into B-movie Sodoms and Gomorrahs. They cover sidewalks with vomit, rape one another, and indulge in casual drunken violence. In one Greek resort, 12 young British women were arrested recently after indulging in "an outdoor oral sex competition."

No person with the slightest apprehension of human psychology will be surprised to learn that as a consequence of this change in character, indictable crime has risen at least 900 percent since 1950. In the same period, the homicide rate has doubled—and would have gone up ten times, had it not been for improvements in

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trauma surgery and resuscitation techniques. And all this despite the fact that the proportion of the population in the age group most likely to commit crimes has fallen considerably.

Two things are worth noting about this shift in national character: it is not the first such shift in British history; and the change is not entirely spontaneous or the result of impersonal social forces.

Before the English and British became known for self-restraint and an ironic detachment from life, they had a reputation for high emotionalism and an inability to control their passions. The German poet Heinrich Heine, among others, detested them as violent and vulgar. It was only during the reign of William IV—"Silly Billy," the king before Victoria—that they transformed into something approaching the restrained people whom I encountered as a child and sometimes as a doctor. The main difference between the vulgar people whom Heine detested and the people loathed and feared throughout Europe (and beyond) today is that the earlier Britons often possessed talent and genius, and in some sense stood in the forefront of human endeavor; we cannot say that of the British now.

But the second point is also important. The moralization of the British in the first third of the nineteenth century—their transformation from a people lacking self-control into exemplars of restraint—was the product of intellectual and legislative activity. So, too, was the reverse movement.

Consider in this light public drunkenness. For 100 years or more in Britain, the popular view was that such drunkenness was reprehensible and the rightful object of repression. (My heart leaps with joy when I see in France a public notice underscoring the provisions of the law "for the suppression of public drunkenness.") Several changes then came: officials halved the tax on alcohol; intellectuals attacked the idea of self-restraint, making it culturally unacceptable; universities unapologetically began to advertise themselves as places where students could get drunk often and regularly; and finally, the government, noting that drunkenness was dramatically increasing, claimed that increasing the hours of availability of alcohol would encourage a more responsible, "Mediterranean" drinking culture, in which people would sip slowly, rather than gulp fast. It is difficult not to suspect also the role of financial inducements to politicians in all this, for even they could hardly be so stupid.

Habits become character. Perhaps they shouldn't, but they do. Therefore, when I hear that some American states seek to lower the drinking age from 21 to 18, on the grounds that it is absurd that an 18-year-old can join the army and die for his country but not drink a beer in a public bar, I experience a strong reaction. It is a more important goal of government to uphold civilization than to find a general principle that will iron out all the apparent inconsistencies of the current dispensation.

Not long ago, I attended the graduation of a friend's son at an upstate New York university. The night before, and the night after, I observed the students through the windows of their frat houses getting drunk. They were behaving in a silly way, but they were not causing a public nuisance because they did not dare to step out of their houses. If they did, the local police would arrest them; or, if not, the university authorities would catch them and suspend them. (This, incidentally, is powerful evidence that drunks do know what they are doing and that the law is absolutely right not to accept drunkenness as a negation of *mens rea*.)

No doubt the student drunkenness in the frat houses was unsatisfactory from an abstract point of view; but from the point of view of upholding civilization, to say nothing of the quality of life of the townspeople, it was all highly satisfactory. In England, that town would have been a nightmare at night that no decent person would have wanted to be out in.

So I say to Americans: if you want your young people to develop character, have the courage of your inconsistencies! Excoriate sin, especially in public places, but turn a blind eye to it when necessary—as it often is. □

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Letters

The One

To the editor:

Powerful essay [Michael Knox Beran, "Obama, Shaman," Summer 2008], insightful, pertinent, and accurately defines Obama as the biggest swindler in American history. References from literature and history identify Obama as a false prophet.

—Bud Brooks, Sr.
Dallas, TX

To the editor:

Obama was anticipated by John Jay in Article 64 of the Federalist Papers, confirming yet again the practical wisdom of the Founding Fathers. Jay, in a discussion of "the select assemblies for choosing the President," refers to "men of whom the people have had time to form a judgment, and with respect to whom they will not be liable to be deceived by those brilliant appearances of genius and patriotism which, like transient meteors, sometimes mislead as well as dazzle."

—Donald P. Speer
Flagstaff, AZ

To the editor:

Mr. Beran describes what has bothered me about Obama from the beginning. He is full of pithy phrases that suggest everything but offer nothing.

—Marie O'Leary
Morton, PA

To the editor:

Why not suspend common sense this once and believe in the possibilities? It couldn't hurt.

—Joe Lindeman
Chicago, IL

The Dismal Truth

To the editor:

Mr. Sorman, your article [Guy Sorman, "Economics Does Not Lie," Summer 2008] could easily replace my entire economics curriculum in college. Thank you very much.

—Charles E. Kinney
Tampa, FL

To the editor:

The hallmark of any "science" is the ability to predict. In this area, economics falls flat on its face. The use of advanced mathematics and algorithms is not sufficient to render a field of study a "science." Economists "predict" a recession only after the data have shown that a recession is extant. Economists cannot predict interest rates six months hence. Witness the *Wall Street Journal*'s survey of 100 prominent economists in predicting interest rates. The answers are all over the map.

—Alex Custin
Bethlehem, PA

To the editor:

Maybe not, but economists sure do!

—I. Macias, Jr.
Chicago, IL

The Right Books

To the editor:

I'm a librarian and I review books for WashYARG, the oldest and largest professional review organization for teen materials in the U.S. I realize that this is a specialized niche, but if conservative publishing houses [Harry Stein, "The Future of Conservative Books," Summer 2008] have materials that fit my reviewing profile (appropriate for ages 11–19), I will certainly give them a fair reading. Viz., *The O'Reilly Factor for Kids*: I was actually quite charmed by a celebrity book in which the content was largely created by a specialist expert, but the writing was done by the celebrity. I also field-tested it with a teen reviewer—my Catholic niece.

We librarians who truly believe in intellectual freedom and professional integrity are not locked into the New York City/Beltway/chattering classes mind-set. And while we may be a minority in our profession, we do exist.

—Kirsten Edwards
Duvall, WA

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Marshaling Phonics

To the editor:

Nobel? Pulitzer? Templeton?

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Letters

Name a prestigious award—this article [Sol Stern, "A Marshall Plan for Reading," Summer 2008] should receive it. Sol Stern has cut through all the claptrap, progressive nonsense, and ostrich-like avoidance and gotten to the heart of the chief social issue of our time: the permanency of the black underclass. Reading is the key to transforming that behavior. It is the basis of all learning. Middle-class children are born into an environment where intense language immersion and reading are the norm. If lower-class children don't get that kind of enrichment at home, society must provide it, for the sake of the children in need and for our collective sake. Mr. Stern's prescription for the kind of curriculum necessary to teach reading is dead-on. Phonics works. Use it. And if the educated idiots who set the curriculum for the city schools don't get it, maybe their children, grandchildren, and great-grandchildren should be sentenced to endure the dead-end approach that the mandarins have imposed on the less fortunate.

—Evan Cooper
Great Neck, NY

To the editor:

Where are the parents of these children who are not being properly taught to read? Why aren't they in the forefront of the fight to have a workable system for teaching their children to read? And don't tell me it's poverty; being poor doesn't mean that you shouldn't care about your children's education. If anything, it means that education is more important than ever so that your children don't have to struggle as hard as you have. So good luck, but if you don't have the parents actively involved, you aren't going to get anywhere. As to how to reach them, I haven't a clue.

—B. S. Davis
Morristown, NJ

Will Code for Food

To the editor:

I'm sure I've never been the lead in anyone else's story before [Steven Malanga, "The Professional Panhandling Plague," Summer 2008]. But I enjoyed the story very much. I can't believe that there are websites to help panhandlers hone their shake-down techniques. I wish some of the misguided bleeding hearts who wrote letters, and a few who left nasty messages on my phone, would read your article. They'd never admit they were wrong. But they might think twice about feeding sidewalk parasites.

—Barbara Bradley
Memphis, TN

To the editor:

Thanks so much for the timely article on a subject of great interest to this San Francisco resident. I have a question, though: Why is panhandling prevalent in such a widely divergent array of cities? While it's entirely predictable that aggressive panhandling will be present in a liberal city like San Francisco, with its lax law enforcement and generous social services, why would it be present in cities like Albuquerque, Orlando, and Memphis? What are the common threads among these cities that make panhandling so prevalent there?

—Neil Koris
San Francisco, CA

Steven Malanga responds:

Panhandling arises wherever there is new opportunity, regardless of the political culture. And so, though Memphis and San Francisco are very different cities, the revival of Memphis's downtown area has produced the kind of environment that attracts a new generation of panhandlers. This is true of many cities that witnessed revivals of their downtown districts in the 1990s.

In many cases, moreover, these cities don't have much experience combating panhandling. In some cases, for example, their police forces haven't been reformed to emphasize street-level, quality-of-life enforcement. Local cops still largely reconnoiter in patrol cars, not on the beat, and so these cities struggle to find the right formula to minimize panhandling.

The few cities that are successfully combating panhandling have experience with it, have the political will to confront it, and have previously enacted the kinds of reforms that prove effective against it—from new laws to new methods of policing.

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Letters

Little-Town Blues

To the editor:

I understand that the point of your article [Edward L. Glaeser, "Houston, New York Has a Problem," Summer 2008] is that New York and other cities need to learn from places like Houston, but Houston is a lousy place to live. It stinks, literally, it's too hot, there's too much pollution, and there are too many mosquitoes to let kids play outside. The houses may be newer, but they're poorly built. Sure, you may not spend as much money as in New York, but you don't have time to enjoy your extra cash, because in Houston you are stuck in traffic all the time. Plus, Houston has virtually no zoning. Never have I seen a place make as many poor decisions in housing and commercial mixes. Suburban sprawl is causing serious problems and will continue to do so. Think: "Reverse Ghetto Theory." The cost of all this development is far too great. And this comment is coming from a conservative, not a wild-eyed liberal.

—Joy Jackson
Staunton, VA

To the editor:

I don't dispute Edward Glaeser's arguments, which I think are entirely spot-on regarding cost-of-living differences and the challenges facing middle-class residents. Yet I find his essay full of disturbing and misguided implications.

New Yorkers (and Americans as a whole) must ask themselves: do we really want New York to turn into another Houston? Yes, the Big Apple is highly challenging and difficult for those aspiring to American middle-class standards. But it is one of the few cities offering something different from culs-de-sac and strip malls. It's a city full of cultural complexity. The type of suburbia that Glaeser champions is omnipresent throughout the U.S. The Houston lifestyle—cheap housing, short commutes, and affordable big-box stores—can be found all over the country, from Omaha to Jacksonville. Do we need to transform every American city into the same suburban mono-culture?

New York, for all its flaws, is a welcome alternative for those seeking something different. Let Mr. Glaeser and his ilk move to Houston. Suburban sprawl is not the only goal.

—Earl Zaromb
Brooklyn, NY

Edward L. Glaeser responds:

My Houston article aimed at encouraging debate on land use and development. I am deeply gratified by the number of readers and bloggers who have written on the piece. Some writers have thought that I was boosting Houston and bashing New York. My business is not to be an urban critic who rates urban areas on some abstract notion of quality. It is a great thing that America has different types of urban environments and that different people can choose cities that match their needs.

My article attempted to explain why greater Houston has attracted more than 900,000 new residents since the last census. Those readers who responded by venting about all of Houston's alleged flaws do not address this growth. It's impossible to explain Houston's outsize growth without recognizing that there is something attractive about the city.

I concluded that Houston's appeal comes, in part, from its abundant, affordable housing. The combination of affordable housing and abundant new construction can only reflect abundant supply. Houston's housing supply, in turn, reflects abundant land availability and a pro-growth regulatory environment. It's absurd to suggest that New York should slavishly copy Houston. However, by easing regulations on new construction, New York could become more accessible to ordinary Americans.

A Nomination

To the editor:

When is Ms. Mac Donald going to win a long-deserved Pulitzer Prize for reporting [Heather Mac Donald, "The NYPD Diaspora," Summer 2008]? She has no equal in the accuracy and relevance of what she does.

—Leonard Feingold
Philadelphia, PA

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If a Woodchuck Could

Paul Beston

I first saw him one Saturday morning on the front walk of our house in Beacon, New York—an uninvited, molelike guest, chewing my wife's newly planted dianthus with gusto. He looked right at me, unperturbed, until my hand errantly bumped the window sash, after which he assumed the ready stance of a shortstop, jaws still working furiously. Only when I opened the door did he spring forward, disappearing under the broken latticework of our porch.

A few minutes on Wikipedia and I'd confirmed the presence of a groundhog, *Marmota monax*—also known as a woodchuck (though it does not chuck wood). The webpage showed an attractive, well-fed hog. My wife and I agreed that ours needed to be chased off the property, since he was the likely culprit behind the recent decimation of her cucumber crop. His burrows also presented a potential threat to the foundations of our house, which dates to shortly after Grant accepted Lee's surrender and which has offered us many adventures, from do-it-yourself plumbing to improvisational electricity.

I understood my wife's urgency, since she'd worked hard on her vegetable garden, but the truth was that I liked the hog: he had a nobility to him. Besides, most of the businesses listed in the Yellow Pages under "wildlife control" controlled the wildlife by killing it. "Yeah, I kill the animal," one told me bluntly. "You want him off your property, right? That's what I do." Fortunately, my wife, though a supporter of capital punishment for humans, opposed killing the hog, as I did. She got the bright idea of removing him ourselves: we'd buy a cage, load it up with cucumber, catch him, and then transport him . . . where? She called a government number, hoping to get information on wildlife refuges, and was informed that New York State residents are allowed to catch and release animals *only on their own property*. You can't make this stuff up.

Finally, after considerable looking around—and with the dianthus, the cucumber, and the squash crying out for mercy, if not justice—I located a "humane trapper." For a princely sum, he promised to catch and remove the hog, and then release him to an undisclosed location, where he would presumably lay waste to Dick Cheney's vegetable garden. The trapper arrived on a 100-degree day in July to set his trap, larded with greens that looked good enough for a mid-range restaurant. Then he drove off. My wife didn't give the trap a moment's thought after paying him and sending him on his way. When she returned to the front of the house hours later, she discovered that our unfortunate friend had indeed been humanely trapped—no doubt attracted by the quality roughage—but then left to cook on our sun-scorched front walk. Now he was ground hog.

"Shooting him would have been kinder!" she lamented to me over the phone.

I got right to more practical considerations: "Do you think PETA could find out about this?"

Furious, my wife called the humane trapper, who came out and removed the corpse. Despite his failure to perform the one task that defined his business, he gave us only a partial refund. All of this brought some old truisms to mind: the doctor's Hippocratic Oath of first, doing no harm; the law of unintended consequences, which says that one's efforts to change something will have not entirely predictable effects; and a sinister twist on the saying that no good deed goes unpunished. That's supposed to mean that you end up paying for your kind attempt to help another; but here the *object* of our efforts had paid—with his life.

Fortunately, we didn't have long to lament the hog's sad demise before a replacement showed up, this one with a yen for cilantro. Other hogs have come and gone since. They continue to burrow. We have no plans to kill, trap, or relocate any of them. We do intend, whenever the real-estate market recovers, to sell the damned house—that is, if it's still standing. ■

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—Scott Johnson, Power Line

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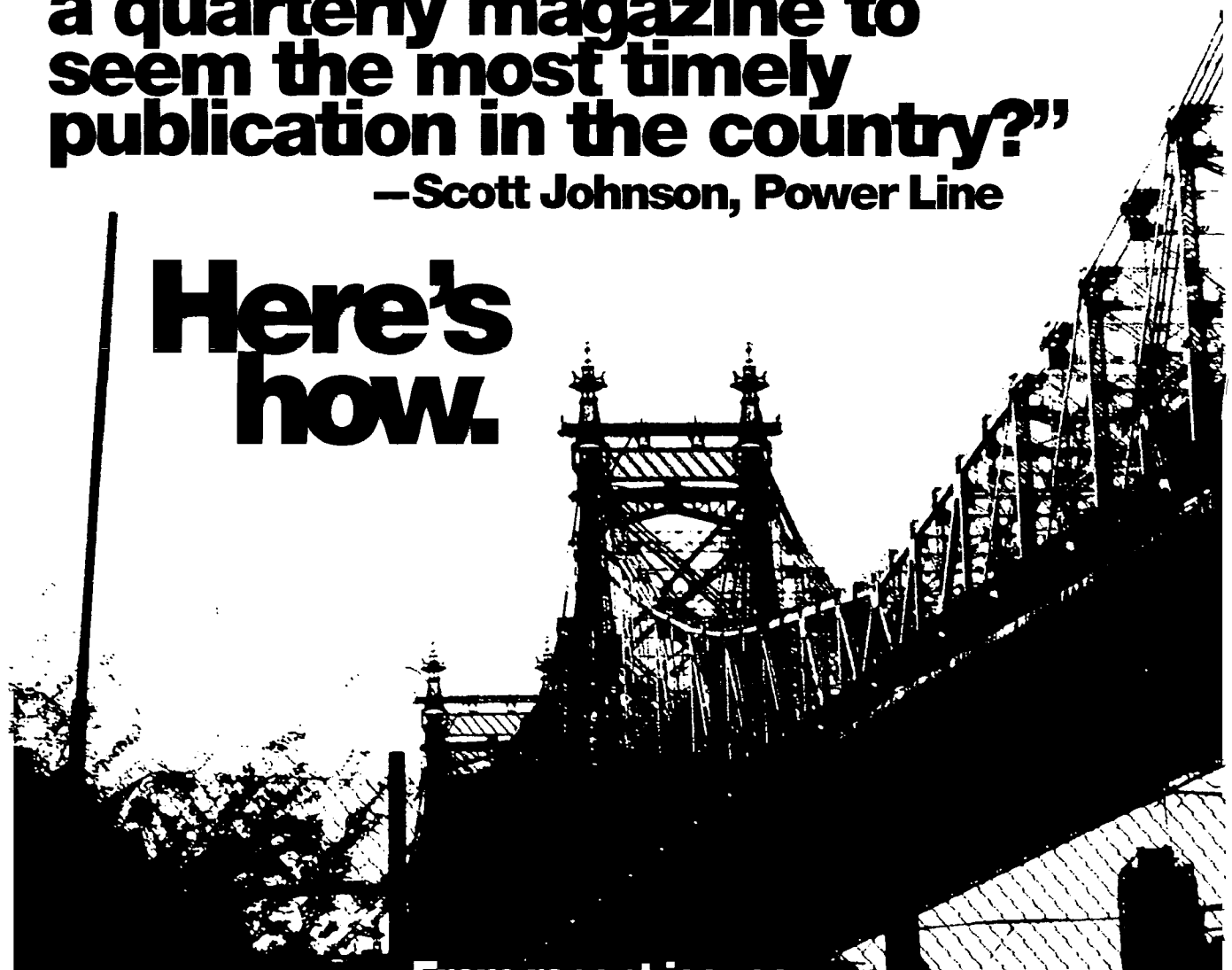

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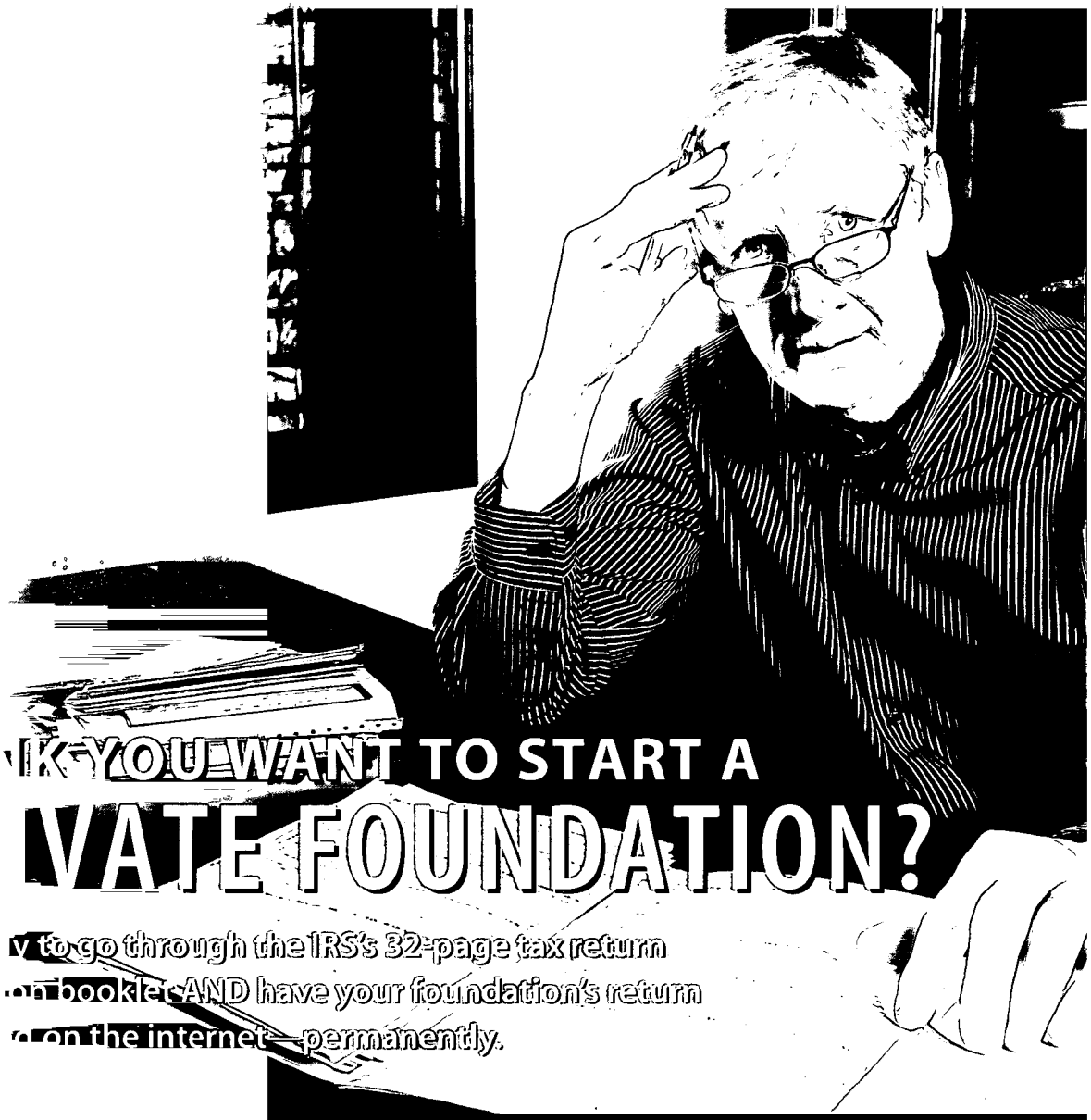

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